

States to pass legislation to change the laws and regulations affecting the border between this country and Canada; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CUNNINGHAM:

H. R. 6841. A bill for the relief of The Tours Apartment Hotel; to the Committee on Claims

By Mr. MACIEJEWSKI:

H. R. 6842. A bill for the relief of Robert J. Eitel, Max Eitel, and E. J. Coyle, of Chicago, Ill., a copartnership doing business under the name of the C. & E. Co.; to the Committee on Claims.

By Mr. WILLIAM T. PHEIFFER:

H. R. 6843. A bill for the relief of Dr. Manfred Sakel; to the Committee on Immigration and Naturalization.

H. R. 6844 (by request). A bill for the relief of Emil Chalupa; to the Committee on World War Veterans' Legislation.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2584. By Mr. ROLPH: Resolution of the American Legion, C. C. Thomas Navy Post, No. 244, San Francisco, Calif., regarding war production; to the Committee on the Judiciary.

2585. By Mr. CULLEN: Petition of the Legislature of the State of New York, respectfully requesting Congress to speedily bring about and put into effect any necessary changes in our laws and regulations affecting the border between this country and Canada to the end that unnecessary restrictions may be removed and that travel of persons and movement of products may be facilitated for the purpose of promoting a harmonious, an efficient, and a victorious prosecution of the existing war; to the Committee on Ways and Means.

2586. By Mr. CUNNINGHAM: Petition of 2,536 members of the Northwestern Union of Telephone Workers, protesting against inclusion of the Bell System pension plan under the pending Morgenthau tax proposal for pension trust funds; to the Committee on Ways and Means.

2587. By Mr. FITZPATRICK: Petition of the New York State Legislature, requesting Congress to effect any necessary changes in our laws and regulations affecting the border between this country and Canada to the end that unnecessary restrictions may be removed and movement of persons and products facilitated for the purpose of promoting the harmonious, efficient, and victorious prosecution of the existing war; to the Committee on Ways and Means.

2588. By Mr. KEOGH: Memorial of the Legislature of the State of New York, respectfully requesting the Congress to speedily bring about and put into effect any necessary changes in our laws and regulations affecting the border between this country and Canada to the end that unnecessary restrictions may be removed and that travel of persons and movement of products may be facilitated for the purpose of promoting a harmonious and efficient and a victorious prosecution of the existing war; to the Committee on Ways and Means.

2589. By Mr. KRAMER: Petition of the Eagle Rock (Calif.) Chamber of Commerce, urging the speedy removal of aliens from along the Pacific coast line to interior concentrations, isolating them from both the coast line and water-supply sources where sabotage would most likely occur; also urging the Congressmen to take a firm and positive stand against strikes of any kind that interfere with

the war production program; to the Committee on Military Affairs.

2590. Also, petition of the Fresno (Calif.) Chamber of Commerce, urging immediate removal of all aliens and Japanese citizens or aliens into protective custody of the United States, and that all property of such persons be taken into protective custody of the United States; to the Committee on Immigration and Naturalization.

2591. By Mr. WEAVER: Petition of sundry citizens of Hendersonville, N. C., supporting Senate bill 860; to the Committee on Military Affairs.

2592. By the SPEAKER: Petition of L. A. Nordan, of San Antonio, Tex., petitioning consideration of their resolution with reference to the wage-hour law; to the Committee on Labor.

2593. Also, petition of the Council of the City of Cincinnati, petitioning consideration of their resolution with reference to House bills 6617 and 6750; to the Committee on Ways and Means.

2594. Also, petition of the assistant secretary, State Board of Agriculture of the State of California, petitioning consideration of their resolution with reference to construction of dams necessary to the Central Valley project; to the Committee on Irrigation and Reclamation.

2595. Also, petition of the American Legion, Middletown Post, No. 218, Middletown, Ohio, petitioning consideration of their resolution with reference to all-out aid and unity to win the war; to the Committee on Expenditures in the Executive Departments.

SENATE

TUESDAY, MARCH 24, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend Z^cBarney T. Phillips, D. D., offered the following prayer:

Almighty God, Ruler of the nations, we entreat Thee in this hour of the world's anguish to have pity upon us, for in Thee is our only hope. Inspire in us, Thy children, the courage to do and to dare our utmost; increase our faith in the religion of our Saviour, which alone can subdue the world by its transmutation of suffering into triumph, of a crown of thorns into a crown of glory, of a shameful cross into a symbol of salvation.

In this Passiontide, dear Lord, teach us anew the mysterious meaning of the cross which brings to men the death of death, the defeat of sin, the beatification of martyrdom, the raising heavenward of voluntary sacrifice, the defiance of pain. Give to us all the certitude which sets no store by the apparent or the tangible, but which, piercing through the mystery of things, shows us joy shining through tears, making of suffering a sacred trial sent by Eternal Love to purify the souls of men. We ask it for the sake of Him in whom dwells all the fullness of the Godhead bodily, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. MEAD, and by unanimous consent, the reading of the Journal

of the proceedings of the calendar day Monday, March 23, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that on March 23, 1942, the President had approved and signed the following acts:

S. 1564. An act for the relief of Pauline Caton Robertson;

S. 1898. An act for the relief of the heirs of Mrs. Nazaria Garcia, of Winslow, Ariz.;

S. 1906. An act for the relief of the estate of O. K. Himley; and

S. 2134. An act to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches there-to, across the St. Marys River from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5444. An act to amend the act to regulate barbers in the District of Columbia, and for other purposes;

H. R. 6386. An act to provide for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, to conform with the increased cost of living in the District of Columbia, and also to conform with wages paid in many cities of the Nation; and

H. R. 6782. An act to authorize the Commissioners of the District of Columbia to assign officers and members of the Metropolitan Police force to duty in the detective bureau of the Metropolitan Police Department, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 2203) to further expedite the prosecution of the war, and it was signed by the Vice President.

PROHIBITION OF LIQUOR SALES AND SUPPRESSION OF VICE AROUND MILITARY CAMPS—PETITIONS

Mr. CAPPER presented petitions, numerously signed, of sundry citizens of Abilene and Fort Scott, Kans., praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

Mr. WHITE. Mr. President, I ask consent to now present for appropriate disposition a petition signed by various citizens of the State of Maine, praying for the enactment of Senate bill No. 860, known as the Sheppard bill.

The VICE PRESIDENT. Without objection, the petition presented by the

Senator from Maine will be received and lie on the table.

SPEED-UP OF WAR-PRODUCTION EFFORT—PETITION

Mr. AUSTIN. Mr. President, I ask consent to place in the RECORD at this point in my remarks, without all the signatures attached thereto, a petition directed at the stoppage of strikes, the doing away with overtime and double pay for Sunday work for the duration of the war, and calling for all-out production and action. This petition is headed and signed in the first instance by Hon. Flora J. Coutts, of Newport, Vt., who has served the State of Vermont well as State senator from Orleans County in two separate sessions, 1937 and 1939, of the General Assembly of Vermont. She is now actively engaged in civic affairs as executive secretary of the Orleans County Development Authority. On this petition also are the names of many citizens of Newport, Vt. I request that the petition may be received at this juncture and appropriately referred.

The VICE PRESIDENT. Without objection, the petition presented by the Senator from Vermont will be received, referred to the Committee on Education and Labor, and printed in the RECORD without all the signatures attached.

The petition is as follows:

HON. WARREN R. AUSTIN,
United States Senator,
Washington, D. C.:

We want action taken to speed up production for defense, to stop strikes, and to do away with overtime and double Sunday pay for the duration of the war. We want all-out production. We want passing the buck stopped and efficiency begun. We want action now.

FLORA J. COUTTS.
(And sundry other citizens of Newport, Vt.)

RESOLUTION OF KANSAS INDEPENDENT OIL AND GAS ASSOCIATION—PERCENTAGE DEPLETION ALLOWANCE

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks and appropriately referred a resolution adopted by the Kansas Independent Oil and Gas Association at Wichita, Kans., on March 18, protesting against the Treasury proposal to eliminate the 27½-percent so-called depletion allowance in computing income-tax returns.

I desire particularly to call attention and to add my strong endorsement to the following statements of the resolution:

The independent operator is justified in his request that this percentage depletion be continued because of the risks he takes each time he drills a well. For the presence of oil cannot be determined without the expenditure of large sums of money. Even if oil is found, it cannot be measured. The amount of oil in place can only be estimated.

A manufacturer or merchant can replace their stocks by making new purchases. An oil operator cannot replace the oil he pumps out of his wells; he must drill more wells in order to discover new production. This results in his drilling many dry holes, and their cost is rightfully chargeable to the producing wells.

We believe that any reduction of the depletion allowance will result in the taxation

of capital invested in the oil industry and will make it impossible to develop new reserves which are vital to our war effort.

Mr. President, if the Congress eliminates or decreases to any great extent the depletion allowance, I fear it will result in stopping development of new oil supplies just at the time when oil is vitally needed for national defense. The Treasury proposal should be rejected.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

The recommendation of the Treasury Department that the percentage depletion allowance be eliminated is to be considered by the Ways and Means Committee on March 23 and 24.

From 1918 to 1942 it has been commonly recognized that oil in place is capital and that this capital should be returned to the oil industry, free of tax. In order to return this capital free of tax, Congress determined in 1918 that the value of oil in place should be based either on cost, the fair market value as of March 1, 1913, or the fair market value within 30 days from the date oil was discovered. This method, however, of arriving at the amount of capital involved was difficult to administer and was expensive to the Government and to the oil industry.

To simplify the computations of allowable depletion, Congress in 1926, passed the percentage-depletion method, which allowed 27½ percent of the gross income from the oil and gas produced by a property during each year, to be deducted from Federal income, but in no event was this to be more than 50 percent of the net income from the property. This depletion allowance passed by Congress in 1926, has been approved by Congress in each succeeding revenue act; and, the fact that this method of computing depletion has stood for the past 16 years is evidence that it is fair, just and equitable, to both the taxpayer and to the Government. The further fact that most State income-tax departments have approved this method of depletion allowance argues in favor of its fairness.

The independent operator is justified in his request that this percentage depletion be continued, because of the risks he takes each time he drills a well. For the presence of oil cannot be determined without the expenditure of large sums of money. Even if oil is found, it cannot be measured. The amount of oil in place can only be estimated.

A manufacturer or merchant can replace his stocks by making new purchases. An oil operator cannot replace the oil he pumps out of his wells; he must drill more wells in order to discover new production. This results in his drilling many dry holes, and their cost is rightfully chargeable to the producing wells.

We believe that any reduction of the depletion allowance will result in the taxation of capital invested in the oil industry and will make it impossible to develop new reserves which are vital to our war effort: Therefore be it

Resolved by the Kansas Independent Oil and Gas Association, That the provisions of the present law are fair and equitable; that they return no more to the industry than the capital consumed and that its elimination or reduction would discourage an essential industry, necessary to the welfare and defense of the Nation.

STATEMENT RELATIVE TO PETITION AND RESOLUTIONS RECEIVED FROM WIS- CONSIN

Mr. WILEY. Mr. President, I have received from the State of Wisconsin, as set forth on the sheet which I hold in

my hand, several papers, all in the nature of petitions, which I shall identify: A petition from sundry citizens of Madison, Wis., praying for the enactment of Senate bill 860, known as the Sheppard bill; also resolutions from the Council of the City of Kenosha, Wis., and the Kenosha Industrial Union Council favoring the enactment of House bill 6559, to the end that the men and women who, by virtue of the conversion of plants from peacetime to wartime production, are left unemployed may receive during such idle period a decent, livable unemployment benefit; also a resolution from the League of Wisconsin Municipalities, Madison, Wis., urging Members of the Congress and the various war agencies to put forth every effort to aid in providing necessary funds for the promotion of the Bureau of Plant Industry, and also a resolution from the Portage County, Wis., Board of Supervisors favoring the suspension of labor-union activity for the duration of the war.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WHEELER, from the Committee on Interstate Commerce:

H. R. 6387. A bill to extend the crediting of military service under the Railroad Retirement Acts, and for other purposes; without amendment (Rept. No. 1192).

By Mr. MALONEY, from the Committee on Immigration:

S. 1944. A bill for the relief of Thomas Samuel Wuriu; with an amendment (Rept. No. 1193).

By Mr. HOLMAN, from the Committee on Immigration:

H. R. 1541. A bill for the relief of Jacques Hailpern, Max Hailpern, and Sally Hailpern Zaharia; with an amendment (Rept. No. 1194).

By Mr. MAYBANK, from the Committee on Immigration:

H. R. 2922. A bill for the relief of Albert Edward Whiteside; without amendment (Rept. No. 1195).

REPORT OF THE COMMITTEE ON APPROPRIATIONS

Mr. THOMAS of Oklahoma. Mr. President, on behalf of the Committee on Appropriations I report back from that committee, with amendments, for the calendar, the bill (H. R. 6736) making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes, and I submit a report (No. 1191) thereon. I give notice that at the earliest opportune moment I shall call up the bill for consideration by the Senate.

The VICE PRESIDENT. Without objection, the report will be received and the bill will be placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

(Mr. BROWN introduced Senate bill 2400, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. BUTLER:

S. 2401. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and

render judgment upon the claims of William Quinlan; to the Committee on Claims.

OVERTIME PAYMENTS TO EMPLOYEES UNDER GOVERNMENT CONTRACTS—PURCHASE OF UNITED STATES BONDS BY GOVERNMENTAL OFFICIALS AND OTHERS

Mr. BROWN. Mr. President, I ask consent to introduce a bill for reference to the Committee on Finance, and I wish briefly to state what it contains.

The bill proposes, first, that hereafter all overtime pay received by workmen engaged on Government contracts shall be paid in the form of United States Savings bonds.

Second, that the salaries of all officers of corporations engaged in Government war work which exceed \$400 a month, approximately \$5,000 a year, shall be paid, to the extent of 5 percent thereof, in United States war bonds.

Third, that the salaries of all Government employees, including, I may say, Senators and Representatives, judges, and other officers and employees of the United States, receiving salaries in excess of \$400 a month, slightly under \$5,000 a year shall be paid to the extent of 5 percent thereof in United States Savings bonds.

Of course, the major purpose of the proposed legislation is, first, to raise money; second, to postpone the buying power of salaries from the present time to the period after the war. These bonds are to be substantially similar to the present United States Savings bonds, except that they are to be nonnegotiable, and nonredeemable until 6 months after the termination of the war such termination to be as defined in the Second War Powers Act.

Mr. HUGHES. Could the bonds be used for the payment of taxes?

Mr. BROWN. No; they could not be.

Mr. HUGHES. What will we use for the payment of taxes?

Mr. BROWN. The Senator will have to save something out of his salary with which to pay taxes.

Mr. President, this bill, I hope, will be anti-inflationary in result. It affects three groups of wage and salary earners. It proposes that all overtime pay to workers on Government contracts, both primary and secondary, shall be in the form of nonnegotiable war bonds issued on a discount basis to the full amount of the overtime pay substantially in the form of the present Treasury issues except that they are not cashable or redeemable until 6 months after the end of the war as defined in the Second War Powers Act. The bill also will require payment of 5 percent of all salaries paid by corporations engaged in war work which are in excess of \$400 per month. With the same kind of bonds as above described, the third class I seek to affect in the same manner is all Government officials and employees drawing salaries in excess of \$400 per month.

I think it fair under all circumstances to give serious consideration to a similar provision for corporate dividends and I introduce the bill with the hope that we

can find some method of reaching corporate dividends. I have not suggested any form in my bill, but take this means of calling attention to the need and hope that when considered in committee, we may find some means of reaching corporate dividends based upon war contracts in a substantially similar manner as overtime and salaries are reached.

It will be noted that the main purpose of the bill is the postponement of buying power from the present to the post-war period. It is a step toward compulsory savings. I am not wedded to the rate of 5 percent, as suggested, nor to the \$400 base. These may be changed in accord with what seems proper after hearing. I am able to say that the Treasury is studying the matter. They have announced no position. I discussed the subject matter publicly before the Finance Committee of the Senate on March 13 during the hearing on the Public Debt Act. I have also discussed the matter further with Secretary Morgenthau and Under Secretary Bell of the Treasury. I have also discussed the overtime question with representatives of labor and of management. I have received no definite answer from either, but was assured by both that the subject matter was worthy of most serious consideration.

There being no objection, the bill (S. 2400) relating to overtime payments to employees under Government contracts, was read twice by its title and referred to the Committee on Finance.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the District of Columbia:

H. R. 5444. An act to amend the act to regulate barbers in the District of Columbia, and for other purposes;

H. R. 6386. An act to provide for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, to conform with the increased cost of living in the District of Columbia, and also to conform with wages paid in many cities of the Nation; and

H. R. 6782. An act to authorize the Commissioners of the District of Columbia to assign officers and members of the Metropolitan Police force to duty in the detective bureau of the Metropolitan Police Department, and for other purposes.

DEVELOPMENT OF MINERALS, ELECTRICAL FACILITIES, AND NATURAL RESOURCES—AMENDMENTS

Mr. JOHNSON of Colorado submitted amendments intended to be proposed by him to the bill (S. 2378) to promote the development and production of minerals belonging to the United States, to authorize the construction and operation of electrical facilities, to promote utilization of the natural resources of the Nation, and for other purposes, which were referred to the Committee on Public Lands and Surveys and ordered to be printed.

THE TAX PROBLEM—ADDRESS BY SENATOR TAFT

[Mr. BROWN asked and obtained leave to have printed in the RECORD a radio address

on the tax problem delivered by Senator TAFT on Monday, March 23, 1942, which appears in the Appendix.]

PROSECUTION OF THE WAR—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a radio address delivered by him at Chippewa Falls, Wis., on March 18, 1942, which appears in the Appendix.]

PRE-WAR STATEMENTS BY SENATOR SMATHERS AND FORMER SENATOR EDGE

[Mr. MEAD asked and obtained leave to have printed in the RECORD an article from the Atlantic City Press, Atlantic City, N. J., of March 23, 1942, containing statements by former Senator Edge and Senator SMATHERS, which appears in the Appendix.]

ADDRESS TO THE ORDER OF AHEPA BY THE ATTORNEY GENERAL

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD an address delivered by the Attorney General of the United States at the Ahepa dinner, March 23, 1942, at the Mayflower Hotel, which appears in the Appendix.]

PROBLEMS INVOLVED IN THE WAR EFFORT

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio program in which Theodore Granik interviewed James M. Landis, Director of the Office of Civilian Defense, which appears in the Appendix.]

WARTIME RESPONSIBILITY TO YOUTH—ADDRESS BY DR. V. T. THAYER

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an address entitled "Our Wartime Responsibility to American Youth: Shall We Scrap the National Youth Administration and the Civilian Conservation Corps?" delivered on February 15, 1942, in New York City, by Dr. V. T. Thayer, educational director, Ethical Culture Schools, and leader of the New York Society for Ethical Culture, which appears in the Appendix.]

LABOR AND WAR PRODUCTION—EDITORIAL FROM THE MONTGOMERY (ALA.) ADVERTISER

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD an editorial entitled "Must Our Nation Be Torn to Pieces?" published in the Montgomery (Ala.) Advertiser of March 22, 1942, which appears in the Appendix.]

THURMAN ARNOLD—ARTICLE BY FRANK C. WALDROP

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Frank C. Waldrop regarding Assistant Attorney General Thurman Arnold, which appears in the Appendix.]

MACARTHUR PROMISES "THE TRUTH" ABOUT THE WAR—ARTICLE BY HAROLD GUARD

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article entitled "MacArthur Promises 'the Truth' About War—Requests Cooperation" written by Harold Guard, United Press staff correspondent at General MacArthur's headquarters, Australia, which appears in the Appendix.]

WAR PRODUCTION AND LABOR POLICIES

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD two letters discussing war production and labor policies which appear in the Appendix.]

HEED NELSON'S WARNING—EDITORIAL FROM CHICAGO TIMES

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an editorial entitled "Heed Nelson's Warning," published in the Chicago Sunday Times of March 15, 1942, which appears in the Appendix.]

BONDS VERSUS BONDAGE

[Mr. MURDOCK asked and obtained leave to have printed in the RECORD a statement entitled "Bonds Versus Bondage," by James Shenos, president District of Columbia Chapter, Order of Ahepa, which appears in the Appendix.]

TEXANS DEMAND ACTION

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an article from the Washington Times-Herald of March 24, 1942, relating to a mass meeting in Dallas, Tex., which appears in the Appendix.]

EFFECT OF CONCENTRATION OF DEFENSE INDUSTRIES ON SMALL BUSINESS

[Mr. RADCLIFFE asked and obtained leave to have printed in the RECORD an article from the Preston (Md.) News of March 12, 1942, relating to defense industries and small business, which appears in the Appendix.]

CALL OF THE ROLL

Mr. MEAD. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Glass	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Bankhead	Gurney	Reynolds
Barbour	Hayden	Rosier
Bilbo	Hill	Russell
Bone	Holman	Schwartz
Brewster	Hughes	Shipstead
Brown	Johnson, Calif.	Smathers
Bulow	Johnson, Colo.	Smith
Burton	Langer	Spencer
Butler	Lee	Stewart
Byrd	Lucas	Taft
Capper	McCarran	Thomas, Idaho
Caraway	McFarland	Thomas, Okla.
Chandler	McKellar	Thomas, Utah
Chavez	McNary	Tobey
Clark, Idaho	Maloney	Truman
Clark, Mo.	Maybank	Tunnell
Connally	Mead	Tydings
Danaher	Millikin	Vandenberg
Davis	Murdoch	Van Nuys
Doxey	Murray	Wagner
Ellender	Nye	Wheeler
George	O'Daniel	White
Gerry	O'Mahoney	Wiley
Gillette	Overton	Willis

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. BARKLEY], the Senator from Nevada [Mr. BUNKER], the Senator from Iowa [Mr. HERRING], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in

the West on matters pertaining to the national defense, and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Illinois [Mr. BROOKS] and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

Mr. TUNNELL obtained the floor.

Mr. VANDENBERG. Mr. President, will the Senator from Delaware yield?

Mr. TUNNELL. I yield.

Mr. VANDENBERG. While I have no doubt there is a constructive quorum present, I should like to have the RECORD show that there are just 24 out of 96 jurors present.

Mr. WHITE and Mr. BREWSTER addressed the Chair.

The VICE PRESIDENT. Does the Senator from Delaware yield and, if so, to whom?

Mr. TUNNELL. I yield to the Senator from Maine.

(Mr. WHITE presented a petition which appears under the appropriate heading.)

Mr. CONNALLY. I rise to a point of order.

The VICE PRESIDENT. The Senator from Texas is recognized to state the point of order.

Mr. CONNALLY. The Senator from Michigan [Mr. VANDENBERG] made the point that there is not a quorum present, and under the rules of the Senate the roll must be called. The Senator from Michigan made the point that there are only 24 Senators on the floor. Whether he used the words, "I suggest the absence of a quorum" or not, he did suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Delaware [Mr. TUNNELL] has the floor. Does the Senator from Delaware yield for the purpose of calling the roll?

Mr. TUNNELL. I do not.

Mr. CONNALLY. Mr. President, the Senator from Maine [Mr. WHITE] has the floor.

The VICE PRESIDENT. The Senator from Delaware [Mr. TUNNELL] yielded to the Senator from Maine, but failed to designate whether it was the junior or senior Senator.

Mr. CONNALLY. Mr. President, I make the further point of order that when the Senator from Michigan made the point that there was no quorum present it then became the duty of the Chair to proceed to order the calling of the roll, irrespective of whether the Senator from Delaware [Mr. TUNNELL] would yield for the purpose or not. I do not care to have the roll called, but in the interest of correct procedure I wish the RECORD to show that the Senator from Michigan has observed that there is not a quorum present.

The VICE PRESIDENT. The presence of a quorum had just been announced. The Chair did not undertake to ascertain the veracity of the statement of the Senator from Michigan [Mr. VANDENBERG], and understood that the Senator from Michigan was speaking in a highly humorous mood.

Mr. TUNNELL. Mr. President, I shall first answer the question asked by the Senator from Maryland [Mr. TYDINGS] yesterday. In addition to the quotation from page 111 of the record, which I read yesterday in response to the question asked by the Senator from Maryland with reference to Gale Wyman, I shall now read from page 112 of the record:

Mr. BURKE. Did you tell your father on that occasion that the representative of Mr. LANGER had agreed, subject to Mr. LANGER's approval, to pay you \$500 for such services as you might render in the matter?

Mr. TYDINGS. Will the Senator give me the pages again?

Mr. TUNNELL. The first page I gave was 111. The second one is 112. On both are to be found evidence relating to the activity of Mr. Gale Wyman. I will not read again what I read yesterday from page 111.

Mr. TYDINGS. Will the Senator specify the exact sentences?

Mr. TUNNELL. Yes; on page 111, near the top of the page, will be found this language:

And I read you that portion of your statement appearing at the top of page 17, which I now repeat:

"I told them from the standpoint of a fixing policy it would be a physical impossibility for me to do any good."

Do you wish to say to the committee that when you referred to a "fixing policy" that that was the first time that that had been mentioned in the conversation between Mr. Leedom and Mr. Mulloy and yourself, that the only thing they had suggested for which they wanted your services was in reference to this banquet and the relief of the jury list?

Mr. WYMAN. That is all that they suggested to me at the time. However, there were possibly some inferences drawn during the conversation which caused me to describe it in that way. I cannot recall the exact conversation.

Mr. BURKE. Now, Mr. Wyman, is it unfair to say that you knew perfectly well when Leedom called you down there and Mulloy and Leedom talked to you and wanted you to take some part in this case, they were willing to pay you, apparently, whatever you asked, \$500 you said, that they wanted you to use your influence in whatever way you could with your father to get the result they wanted in the case? You knew that that is what they wanted, did you not?

Mr. WYMAN. Well, that was understood.

Mr. TYDINGS. I still say that that language can be interpreted strictly, it can be interpreted literally, or it can be interpreted conservatively, and one can arrive at many different meanings from that language.

Mr. TUNNELL. And they are all crooked.

Mr. TYDINGS. There is nothing here—

Mr. TUNNELL. I say all the meanings are crooked, are they not?

Mr. TYDINGS. I do not think so. I should say that when a judge's son practices law in his father's own bailiwick,

not infrequently persons will employ the judge's son because they feel that there will be no antipathy on the part of the bench toward the trial attorney. I am not passing on the ethics of such a practice, but there is nothing illegal about it, there is nothing improper about it, in the sense that we are discussing this case. It was no secret that Mr. Gale Wyman was to appear in open court. He was not hired to go into court in a disguise. He was in open court. I cannot find any direct statement in the record from which it may be assumed that he was asked to do something which was improper.

Mr. STEWART. Mr. President, will the Senator from Delaware yield to me?

Mr. TUNNELL. I yield.

Mr. STEWART. Has the Senator from Maryland read the testimony of Mulloy?

Mr. TYDINGS. I have read these different quotations, and I can draw inferences from them.

Mr. STEWART. Mulloy said that Gale Wyman was hired for the purpose of fixing his father. That is the substance of his testimony.

Mr. TYDINGS. On what page is that?

Mr. STEWART. There are several pages of it, I will say to the Senator. Mulloy's testimony would have to be read pretty nearly in its entirety. In addition to that, it was specifically understood that Mr. Gale Wyman was not to appear in court because it would not look right.

Mr. TYDINGS. What I should like to have is the specific statement.

Mr. STEWART. One of the unfortunate things about the whole procedure is that all the testimony has not been printed. The other day, when a similar question arose, I undertook to have the entire testimony printed. A part of the testimony was not included even in the little green book which appears on Senator's desks. By that I mean statements taken by the investigators. I believe it should all have been printed and placed on the desk of each Senator who might desire to avail himself of it. I think it behooves Senators to read every word of this testimony. The committee sat for about a month listening to testimony. It was one of the most unpleasant duties I have ever had to perform in the Senate or anywhere else. We saw the witnesses who appeared before us. That was one of the occasions in my life when I had impressed upon me the correctness of the old idea of the importance of seeing the witnesses and observing their demeanor on the stand. I became greatly impressed with the tremendous difference between reading a cold record and seeing and hearing the men who came before us and made the record and testified in flesh and blood. I had that experience in this case.

Mr. TYDINGS. Mr. President, will the Senator from Delaware again yield?

Mr. TUNNELL. I yield.

Mr. TYDINGS. The only purpose for which I rose yesterday was to say that the statement had been made that Senator Langer, then Mr. Langer, through his agents, Mr. Mulloy and the other gentleman who was associated with him, had employed Gale Wyman, the judge's son,

for the purpose of influencing his father improperly, and I said that I could not find any specific statement in the record to that effect. I did find statements from which such an inference could be drawn, quite properly, if one wanted to do it; but I wanted the exact page and the exact statement where that assertion was made, and I have not yet been able to find it.

Mr. TUNNELL. I will say to the Senator that on page 111 Gale Wyman states that it was understood, when he agreed to do this work for Senator Langer, whatever it was, that he was to use his influence with his father in whatever way he could to obtain the desired result. If it is proper to pay money to the son of a judge to influence the father in a case which the father is trying, then I am entirely wrong.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. SMATHERS. The distinguished Senator from Maryland said that the hiring of the judge's son was a matter of record. That is not a fact, is it? The judge's son was not one of the attorneys of record.

Mr. TUNNELL. He was not one of the attorneys of record; but the fact that he was hired is a matter of record in the green book.

Mr. TYDINGS. That is what I meant. He did not appear in court, but he was one of the attorneys hired in the case.

With the Senator's permission I should like to read the next three or four sentences:

Mr. BURKE. Yes. And you told them, and your testimony bears that out fully, that you were sure your father was not that kind of a man.

Mr. WYMAN. Yes.

Mr. BURKE. The attempt to influence him would not bring the result?

Mr. WYMAN. Yes.

Mr. BURKE. That is correct, according to your statement?

Mr. WYMAN. Yes.

Mr. BURKE. You never varied from that?

Mr. WYMAN. No.

Mr. BURKE. But in spite of that, and after the conversation went on they insisted that they still wanted you in the case and were willing to pay you for it?

Mr. WYMAN. Yes, sir.

Mr. BURKE. You have already testified that following that conversation you went over across the State to Sioux Falls and talked to your father?

Mr. WYMAN. I did.

So, according to Mr. Wyman's testimony, adduced by Senator Burke, if there had been any supposition that he was to be hired for any irregular purpose, it was definitely understood when Mr. Wyman left the room that influence was out of the question.

Mr. TUNNELL. I do not think so.

Mr. TYDINGS. Let me read it.

Mr. TUNNELL. I have read it more times than the Senator has.

Mr. TYDINGS. Listen to this:

Mr. BURKE. The attempt to influence him would not bring the result?

Mr. WYMAN. Yes.

Mr. BURKE. That is correct, according to your statement?

Mr. WYMAN. Yes.

Mr. BURKE. You never varied from that?

Mr. WYMAN. No.

Mr. BURKE. But in spite of that, and after the conversation went on they insisted that they still wanted you in the case and were willing to pay you for it.

All that means is, without any influence being a matter of consideration at all.

Mr. TUNNELL. That is where the Senator and I differ.

Mr. TYDINGS. The witness answered "Yes."

Mr. TUNNELL. That is where the Senator and I differ.

Mr. SMATHERS. Mr. President, will the Senator yield so that I may ask the Senator from Maryland a question?

Mr. TUNNELL. I yield.

Mr. SMATHERS. If the judge's son was not an attorney of record, and if he did not participate in the trial of the case, why was he hired, and what service could he render the defendant?

Mr. TYDINGS. That is a matter of inference. The Senator very properly says that the employment was not orthodox; but I am not dealing with that phase of the matter. The assertion was made here that it was stated that Mr. Wyman was employed to influence his father, and I said that I had not been able to find in the testimony an affirmative statement to that effect.

Mr. SMATHERS. Nothing more than an inference.

Mr. TYDINGS. There was an inference that that was true; but I think it is important to draw a distinction between an inference and a fact. I only wanted to keep the record straight.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. LUCAS. On the theory that perhaps the Senator from Maryland has not had the time to read the entire record let me invite his attention to the fact that during the trial the judge's son, Gale Wyman, went to Bismarck, N. Dak., and registered at the hotel under an assumed name. He was not an attorney of record. No one, with the exception of Leedom, Mulloy, and the respondent, knew in reality who he was or what he was doing there.

Mr. TUNNELL. Let me repeat what I said yesterday. On page 111 it is stated precisely that the purpose of hiring young Wyman was understood to be that of influencing his father. I do not change that statement because that statement is in the record. That is the statement of Gale Wyman.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. STEWART. I was about to call the attention of the Senator from Maryland to pages 16 and 17 of the record in the green book. If I may have the permission of the Senator from Delaware I should like to read a little of that testimony.

Mr. TUNNELL. I am glad to yield for that purpose.

Mr. STEWART. Mr. Mulloy testified as follows:

We started driving back toward Mandan again, and we discussed it with Vogel.

I had been in a car accident up near Rugby with the Governor prior to that. My car was in the garage up there being repaired.

So, after discussing it with Vogel, we all decided that we would leave that night for Deadwood. So we turned around and came back to Bismarck.

Without going back, I am sure he was riding in the car with Governor Langer.

Mr. TUNNELL. Yes.

Mr. STEWART. Continuing to read from the testimony of Mr. Mulloy:

I told Governor Langer that I had no money to make the trip for my expenses. He first told me not to be surprised if I found the money in the compartment of the car, and the next time, or the next thing I told Vogel that I had no car, and Vogel offered me the use of his car. So we drove back to Bismarck, and I prepared to leave that day with them, and did leave, and drove as far as Mott, N. Dak., that night, just about 15 or 20 miles from Bismarck, and registered at the Weeks Hotel in Mott. I stayed there that night. The next morning I got up and drove to Deadwood, S. Dak.

Mr. BURKE. Did you see Mr. Leedom while you were there?

Chet Leedom, of course, was supposed to be the close political and personal friend of Judge Wyman.

Mr. BURKE. Did you see Mr. Leedom while you were there?

Mr. MULLOY. Yes. I registered at the Franklin Hotel in Deadwood. I went up to my room and I was just finishing taking a bath and Chet knocked at the door and came walking in, and just as he came in he put out his hand to shake hands with me. He said, "By God, Jim, we have got to save Langer."

The Senator from Maryland is not now present in the Chamber.

Mr. Burke then asked this question:

Mr. BURKE. I understood you to say that in your telephone conversation with Mr. Leedom you had not referred specifically to the reason why you wanted to see him. Is that true?

Mr. MULLOY. That is correct.

Mr. BURKE. Nevertheless, the first words that Mr. Leedom said to you on seeing you were as you have just stated?

Mr. MULLOY. That is correct. He had all the angles figured out.

Mr. BURKE. What did you say to Mr. Leedom when you got into conversation with him about the matter?

This is on page 17 of the record. The Senator from Maryland wanted something specific pointed out.

Mr. MULLOY. I told him—

That is, Chet Leedom—

I told him, "that is exactly what I am down here for." And we talked—well, for the balance of the afternoon he impressed upon me, and I already knew, that he was very, very close to Judge Lee Wyman. He also discussed with me and told me of the boy, Gale Wyman, and the influence that Gale Wyman would have with his father.

That is the same boy and the same judge about whom the Senator from Maryland was speaking a moment ago.

Mr. BURKE. That is a son of Judge Wyman?

Mr. MULLOY. Yes.

Mr. BURKE. Is he a practicing lawyer in South Dakota?

Mr. MULLOY. Yes.

Mr. BURKE. Located where?

Mr. MULLOY. At Deadwood, S. Dak.

The testimony goes on to tell how the whole deal was made and the purpose for which it was made. If that is not plain, then I do not understand what I have read. The testimony to which I have referred appears on pages 16 and 17 and numerous other pages of the record in the greenbook. The whole record must be read by Members of the Senate before they can definitely understand not only the Judge Wyman case, but also the bond transaction with the Iowa broker, Mr. Brunk, and the other transaction, which involved the sale of worthless Mexican land stock to a lawyer named Sullivan, who represented the Great Northern Railroad, the valuation of which was reduced at the time \$25,000 was paid, in broken doses, to the then Governor Langer.

The whole record must be read. There is no one page which can be specifically pointed out which would convict anybody of undertaking to bribe or influence the judge by improperly hiring somebody, whether it was his son or his friend. The entire record must be read and digested by every Senator. That is the thing which has impressed me since the beginning of this trial in the Senate Chamber. This is a tremendously important matter. I wish the whole record had been printed and placed on the desk of each Senator. I think every Senator ought to read the contents of the green book, but I think the whole record ought to be printed. If we are to continue debating this case, I think I shall renew my motion along about the "shank" of the spring sometime and try to have the entire record printed after all.

Mr. TUNNELL. Mr. President, the Senator from Tennessee is entirely correct. I am unable to follow the argument of the Senator from Maryland. It is specifically stated by Gale Wyman that it was understood that he was to attempt to influence his father in whatever way he could, though he says he told them he could not do it.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. STEWART. What difference does it make whether he influenced him or not?

Mr. TUNNELL. It does not make any difference. That is the point.

Mr. STEWART. If he was hired for that purpose, the man who undertook to hire him—if he really undertook to do it—is just as guilty as though he had accomplished his purpose.

Mr. TUNNELL. That is the point.

I was unable to complete my statement to the Senator from Maryland. With reference to the same subject, inasmuch as it has been opened up, I read from page 112:

Mr. BURKE. Did you tell your father on that occasion that the representative of Mr. Langer had agreed, subject to Mr. Langer's approval, to pay you \$500 for such services as you might render in the matter?

Mr. WYMAN. I told him upon my arrival at Sioux Falls, after telling him what they wanted, I told him that I had been promised \$500.

Mr. BURKE. What did your father think about that, if that is a proper question?

Mr. WYMAN. I told him the circumstances under which I was accepting it, and told him I was not driving across the State for nothing, and if they had \$500 they wanted to pay me for that service, that I was going to take it.

Mr. BURKE. Is it not a fact that Mr. Mulloy testified yesterday that this matter of going over to Sioux Falls to see your father at that time in reference to the jury list, that that came up incidentally, and you said, well, you were going to Sioux Falls on some other business and you would talk to your father about that at that time?

Mr. WYMAN. That is not a fact.

Mr. BURKE. What did you next hear about the \$500 payment that was to be made to you?

That amount was promised by the agent of Senator Langer.

Mr. BURKE. What did you next hear about the \$500 payment that was to be made to you?

Mr. WYMAN. I think it was 2 or 3 days after I got back from Sioux Falls that I got a registered letter with \$250 in currency in it.

Mr. BURKE. Who was the sender of the registered letter?

Mr. WYMAN. Chet Leedom.

Mr. BURKE. How much was in it?

Mr. WYMAN. \$250.

Mr. BURKE. You expected, when you opened the letter, to find \$500?

Mr. WYMAN. I did.

In other words, if the \$500 or if the \$250 did not come from Mr. Langer, the only other explanation is that it came from Chet Leedom. Does anyone believe that Chet Leedom was paying \$250 to Gale Wyman for any purpose except for the purpose of delivering the money which Governor Langer had sent him?

Here is the statement of the man who had received the money from Chet Leedom. Chet Leedom was paying the agent of Governor Langer; and no one, it seems to me, can with any degree of sincerity say that he believes Leedom was paying the money out of his own pocket.

I continue to read from the testimony:

Mr. BURKE. And while we are on that subject we will close that up. Did you later get the balance of the \$500?

Mr. WYMAN. I got \$275 in the form of a check that was drawn payable to Jim Mulloy for the trip to Bismarck, N. Dak.; yes, sir.

Mr. BURKE. Drawn by him?

Mr. WYMAN. Mr. Langer.

Mr. BURKE. And were you present in Mr. Langer's office when he got out his check book and drew that check?

Mr. WYMAN. No, sir.

Mr. BURKE. But you received the check?

Mr. WYMAN. I did.

Mr. BURKE. From Mulloy?

Mr. WYMAN. I did.

Mr. BURKE. Mr. Mulloy endorsed it, did he?

Mr. WYMAN. He did.

Mr. BURKE. Did you go with him to the Bank of Bismarck and attempt to cash it but found that the bank was closed?

Mr. WYMAN. That is true.

Mr. BURKE. And could not get the money at the hotel, so you took the check when it was properly endorsed and cashed it at some other bank?

Mr. WYMAN. Yes, sir.

Mr. BURKE. Going back now for a moment to your statement that although you were sworn to tell the truth there may be some parts of it that were not quite true, would you indicate any other part of the statement, your rather lengthy statement, which you now wish to either repudiate or qualify in any particular?

Mr. Wyman said he wanted to take out the profanity, so the gist of the statements was not affected. He eliminated only the profanity.

On page 120 of the record we find the following testimony given during the cross-examination:

Mr. MURPHY. Was at any time any statement made in your presence by Leedom or Mulloy, at either the first or second time that Mulloy came down there, or any other time that Mr. Leedom was up there for the purpose of influencing your father in the conduct of these trials?

Mr. WYMAN. It never was brought up in that way. The first knowledge I had that Chet was doing anything or attempting to do anything like that, or apparently doing anything like that, was when Mulloy came down after Chet the second time, and on the way back he told me how he got his foot into it, and how it was going to be necessary for somebody to straighten the situation out.

Mr. MURPHY. What did he tell you?

Mr. WYMAN. He just said that Chet had been getting drunk up there and he had been running off at the mouth and advertising the fact that he was trying to influence the court; that he was a close friend of the judge's and that he knew what was going on, and things like that; and it was making it very embarrassing for Mulloy and Langer, under the circumstances.

Mr. MURPHY. That is, Mulloy himself was embarrassed because this man Leedom, while intoxicated, had talked too much.

Mr. WYMAN. Yes.

Mr. MURPHY. And claimed he was trying to influence the court?

Mr. WYMAN. Yes.

Mr. MURPHY. When, in fact, he was not up there for that purpose at all?

Mr. WYMAN. That is true.

Leedom was the man whom Mr. Langer insisted upon having, and sent for after the trial was over, in order to have him for the next trial. Leedom was at Bismarck, telling whatever persons he saw that he was influencing the court or attempting to do so; and, notwithstanding that fact, Mr. Langer sent for him again, and Mulloy went to Deadwood for him.

Next, I read the testimony at the point at which the then chairman, the Senator from New Mexico [Mr. Hatch] took part in the examination of Wyman:

The CHAIRMAN. You are not exactly gullible, are you?

Mr. WYMAN. No; I do not think so.

The CHAIRMAN. You knew they did not hire Chet Leedom to go up there and represent a newspaper, did you not? Let us be frank about it.

Mr. WYMAN. I will say "Yes" to that.

That was Gale Wyman's statement. He knew that Chet Leedom had not been hired to go there for the purpose of representing a newspaper.

The testimony continues, as follows:

The CHAIRMAN. That is all.

Mr. WYMAN. Under this circumstance, that at the time he was hired, at the first time that he went up there, that was the only explanation, that was the only situation that anybody knew about. Chet advertised that fact himself. And, as far as BILL LANGER was concerned, under the circumstances, he did not have anything to do with the situation, other than through his lieutenant, Jimmie Mulloy, and when Mulloy came down there, I did not know what their transaction was, prior to the time that they called me to come down to the room.

The CHAIRMAN. But you knew what they wanted, did not you?

Mr. WYMAN. Well, Chet Leedom intimated to me that there was going to be a chance for him to make some money.

The CHAIRMAN. If you did not know what they wanted, why did you refuse employment as a lawyer, and why did you accept employment to go around under cover, under an assumed name?

Mr. WYMAN. Well, I did not give them any services as a lawyer, as a record lawyer in the case I would not have taken any part of it.

The CHAIRMAN. But you were ready to do the other?

Mr. WYMAN. As an individual under the circumstances, why I did the other, and I agree with the inferences that are raised, it was a foolhardy, very, very expensive and embarrassing situation.

The CHAIRMAN. And you said in your statement before the investigators that Jim Mulloy told the truth in large part?

Mr. WYMAN. Well, in the details of his meetings and things like that there is not any question in my mind but that he told the truth.

Those are the statements, and I call particular attention to the answer of Gale Wyman to the question propounded by the Senator from New Mexico, the then chairman:

The CHAIRMAN. You knew they did not hire Chet Leedom to go up there and represent a newspaper, did you not? Let us be frank about it.

Mr. WYMAN. I will say "Yes" to that.

He knew what Leedom was there for, and he took Leedom's place.

On page 119 of the record we find the following questions and answers:

Mr. BURKE. Would you want to give the committee any reason why upon going to the hotel in North Dakota, after having visited with your father you registered under an assumed name, knowing, as I assume you did as a lawyer, that it is a misdemeanor I believe under the laws of the State of North Dakota, as well as generally? Why did you follow that course?

Mr. WYMAN. Because I felt like I should not have been there in the first place.

Mr. BURKE. Ah! You knew all the time you should not be in the matter at all, did you not?

Mr. WYMAN. Yes, sir.

Mr. BURKE. And you have regretted it many times, that you took the \$500 or had anything to do with it?

Mr. WYMAN. That is true.

The foregoing gives the general situation with reference to Gale Wyman. He admitted at two places in the examination that he knew he was expected to do something which was not legal or ethical. He was supposed to try to influence his father. At all times Gale Wyman said he could not do it. There is no doubt about that; but the stigma and the burden do not lie in the fact that they could not get Gale Wyman to do it; the burden and the stigma lie in the fact that Governor LANGER, through his agents, employed persons for the purpose, as he says, of influencing Gale Wyman's father. That is the burden of this charge. There is the act involving moral turpitude. I do not think we have reached such a stage in the development of the American system of government and political science that it is ethical to employ persons to influence a judge or to pay a member of his family \$500 to induce him to go to the

place where the judge is conducting a trial in order to influence the judge. Even though the young man was protesting that he could not succeed, he was hired and paid for that purpose.

Mr. CHANDLER. Mr. President, will the Senator yield on that point?

Mr. TUNNELL. I yield.

Mr. CHANDLER. I think it important to show that Wyman became conscience stricken because of what he had done. I should like to call the Senator's attention to the testimony appearing on page 119. Gale Wyman had gone to the hotel in North Dakota, after visiting his father, and registered under an assumed name; and when Mr. Burke asked him why he had done so, Mr. Wyman said:

Because I felt like I should not have been there in the first place.

Mr. Burke then asked:

Ah! You knew all the time you should not be in the matter at all, did you not?

Wyman replied:

Yes, sir.

Mr. Burke asked:

And you have regretted it many times, that you took the \$500 or had anything to do with it?

Mr. Wyman said:

That is true.

If he had had good motives, if there had been nothing wrong with the transaction, he would not have been conscience stricken. If the whole transaction had been on the up and up and out in the open, so that everybody could have understood it, he would not have to entertain the regret which he manifestly expressed for having had a part in the matter.

Mr. TUNNELL. That is right, and I thank the Senator.

Mr. President, starting where I left off yesterday—

Mr. LUCAS. Mr. President, will the Senator yield to me before he proceeds on another line?

Mr. TUNNELL. I yield.

Mr. LUCAS. At the risk of being charged with repetition, I should like once again to place in the RECORD the very important fact that it is admitted by all in connection with this investigation, whether it be those representing the respondent or those representing the petitioners, that no one in South Dakota knew about the Wyman transaction until the investigators of the Senate committee went there last year and discovered it.

Mr. TUNNELL. The Senator's statement is correct. No one, so far as I remember, has suggested at any time that that incident was known to the voters of North Dakota, and until this morning I have never had the thought that anyone would suggest that there could be any proper motive imputed to the hiring of Gale Wyman by Leedom and Mulloy. It is a stigma on the whole transaction.

The suggestion was made that the committee should have inquired of the Great Northern Railroad Co. as to whether it had a charge put down on its

books for the purchasing of the worthless stock in the Mexican Land Co. Was there such a charge on the books of the railroad company? Such a supposition is rather farfetched. The railway company certainly was not going to charge on its books \$25,000 as a bribe to the Governor of North Dakota to influence him with reference to its taxes in the State of North Dakota. Any company that had no more sense than to put a charge like that on its records or on its books would be so silly that it could hardly continue in business. Any company which resorts to the payment of large sums of money to public officials in the hope that there may be some good flow from such a transaction to the corporation or to an individual would certainly be too squeamish about its records to show information of a criminal nature.

The thought that this payment of \$25,000 for the stock in question was a legitimate transaction is not worthy of the consideration of an intelligent person. The stock itself was never delivered; it is not even clear that there was any stock in existence at that time. Certainly Senator LANGER could not tell us where it was. He said he wished he knew. It was stock something like 30 years old, and, as I said yesterday, if that stock had any value, it was within the power of Senator LANGER to prove it.

What has proof that the Governor did not reduce the taxes of the railroad company got to do with the charge of moral turpitude? If he did not deliver anything for the bribe which was paid, does that excuse Mr. LANGER? Is the doctrine to go forth from the United States Senate that one can offer bribes, if he wants to, and an official can take bribes if he wants to, but, unless there is something delivered of an official character, there is no stigma attached to the transaction? I never heard such a theory advanced until I reached the Senate of the United States. I do not believe that that is the opinion of the Senators or lawyers in or out of the Senate or of prosecuting attorneys. It is the most ridiculous suggestion I have ever heard. Yet I will say that it comes from Mr. Murphy, who is said to be a good lawyer and who impressed us, in many respects, as being a good lawyer. Here is his statement on pages 840 and 841 of the record:

Mr. MURPHY. But I want first to convince you of the fact that, unless it appears by competent evidence in this record that the \$25,000 is directly related to his official conduct in lowering the taxes, then it has no relevancy whatsoever.

In that event it is of no importance to this committee whether LANGER deceived Sullivan or whether Sullivan was just giving him \$25,000, or what not.

Mr. Murphy, the attorney, says that it was of no importance if Senator LANGER did deceive Sullivan. In other words, it was of no importance if Senator LANGER made Sullivan believe that he would deliver something for the \$25,000 which he took. To what depths have we sunk when men will seriously make a statement that it does not make any difference, as affecting, of moral turpitude, whether the Governor of a great State deceives someone on the theory that his official conduct

would be influenced by the receipt of money if, in fact, his conduct was not influenced?

I continue to quote from Mr. Murphy's statement in the record:

Because the whole theory, let alone the pleadings, but the theory upon which this charge has been brought, and the theory toward which the evidence is offered to sustain it was that the two are connected.

I am now trying to demonstrate to you that they were not connected, that there was no service of that sort given by Governor LANGER, and we produce the records here to show it.

There the statement recurs that Governor LANGER did not deliver. It was no crime to take the money and steal it; it was no crime to take something that was offered as a bribe, just so he did not deliver anything of an official nature for the bribe. That is suggested here by Mr. Murphy, Mr. LANGER's attorney.

It was intimated a few days ago that moral turpitude is a matter of geography, but, if that is either good law or good morals, then that kind of geography is in a section of a country with which I am not familiar.

Mr. Murphy continues:

In addition to this record is the record of the board of equalization, carrying the statement of Mr. Dorey, as general counsel for the railroad company, as to the railroad's position, the charts that are here showing it, and the telegrams here from the surrounding States showing that there was a general lowering of taxes at that time.

In other words, the Governor did not deliver.

So I say that there is no competent evidence here, nothing except suspicion and innuendo, and attempting to tie together these two wholly independent transactions that have no relation to one another at all.

The payment of \$25,000 to the Governor of a State and the fact that that year or the year following there was a net reduction of taxes of \$58,000 is of no significance, says Mr. Murphy. I do not know that it is of significance except as corroboration. The crime was committed; there was an act involving moral turpitude when Governor LANGER took the \$25,000 for worthless stock, knowing what the other man held and the other man knowing what Governor LANGER could do for him when he paid the \$25,000. Mr. President, if you had \$25,000 of Mexican Land Co. stock, do you think you could have gotten par for it; do you think you could have sold to Sullivan for par the \$25,000 of worthless stock? Mr. Lemke says it is worth nothing. Governor LANGER never said it was worth anything. He says the company has some property, but a large acreage of the land has been expropriated, and taken over by the Mexican Government. There is no serious contention that this stock has 5 cents' worth of value today. I venture to say one could get all he wanted of it for practically nothing, and if anyone wants some of it, I think I can put him on the trail of it.

I am asked why Sullivan gave the \$25,000. Mr. LANGER has testified why he gave it. Mr. LANGER told Sullivan that he had this stock, and that he had so much confidence in Lemke he would like to sell it to him at par. Mr. LANGER at

that time was in serious financial condition, he has said, though the records show that during that month he had sold \$56,800 worth of land to another man. He said he was in bad condition, but these two transactions, from which the Governor of North Dakota obtained \$25,000 in one and \$56,800 in the other, in all \$81,800, were within 16 days of each other. He was hungry for money about that time, and he got it.

As I have said, he did not deliver anything for the \$25,000, and therefore he committed no crime. He never has delivered anything for it; he never has delivered a share of stock, and never has communicated with the company telling them that a share of that stock belongs to Sullivan, the so-called purchaser, who gave the \$25,000. I do not know when the idea that the money was for the stock was developed. Senator LANGER says a contract was written then. I do not know. I do not know whether he had any stock then or not.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. LUCAS. Throughout the hearings and some of the arguments upon the floor of the Senate an attempt has been made to show that Sullivan purchased this stock for speculative reasons. The evidence shows that Sullivan had speculated at one time in land in Florida. Does the Senator know of anyone buying stock for speculative purposes, and paying par value for it when at the time it was the common knowledge that the stock was practically worthless?

Mr. TUNNELL. I have never known of such a thing. That, again, may be a matter of geography.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. MURDOCK. In the statement made by the Senator from Delaware, and in that made by the Senator from Illinois, are they not absolutely disregarding the testimony of Sullivan himself?

Mr. TUNNELL. One of the criminals; yes.

Mr. MURDOCK. What is that?

Mr. TUNNELL. One of the criminals in the case, the man who offered the bribe.

Mr. MURDOCK. He is not in jail; so far as I know, he has never been accused of crime.

Mr. TUNNELL. I am told it is pretty hard to put Senator LANGER's friends in jail in North Dakota.

Mr. MURDOCK. It was not very hard, was it, to get a conviction against Senator LANGER? It was not very hard to have the Supreme Court of North Dakota oust him as Governor.

Mr. TUNNELL. There did not seem to be much trouble in causing that conviction to be set aside.

Mr. MURDOCK. Does the Senator imply that the circuit court of appeals was crooked in reversing the case?

Mr. TUNNELL. I am not implying anything. I have not gone into that. The Senator from North Dakota was the respondent.

Mr. MURDOCK. The Senator has not gone into that; he has not gone into

Sullivan's testimony, but I think the Senator wants to convict Senator LINGER, not on the evidence—

Mr. TUNNELL. I am not going to yield for a speech by the Senator who has already taken a week of the Senate's time giving his views.

Mr. LUCAS. Mr. President, will the Senator further yield for one observation?

Mr. TUNNELL. I yield.

Mr. LUCAS. I should like to make a further observation for the RECORD, in view of the question raised by the able Senator from Utah.

Jim Mulloy, before he testified before the committee, went to see a lawyer in North Dakota to ascertain whether the statute of limitations had run against all the criminal violations of which he had been guilty over a series of years while he was with the respondent.

Mr. TUNNELL. That is correct.

Mr. LUCAS. He was advised by his lawyer friend that the statute of limitations had run against these crimes he had committed, and then it was that he took the chance to tell what he knew about the situation in North Dakota. So, if the statute of limitations had run against the criminal acts of Jim Mulloy in North Dakota, the statute of limitations has run against the actions of every other individual who has been an accessory to these crimes.

Mr. MURDOCK. Mr. President—

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Delaware yield to the Senator from Utah?

Mr. TUNNELL. Not for a speech.

The PRESIDING OFFICER. The Senator from Delaware yields for a question.

Mr. MURDOCK. I was very generous in yielding.

Mr. TUNNELL. The Senator never yielded to me, because I never asked him to do so.

Mr. MURDOCK. The Senator did not ask me, and if he does not wish to have me ask him a question, I shall not do so; but I desire to call the attention of the Senator from Illinois to the fact, if I may, that it is on the testimony principally of Jim Mulloy that he is asking that Senator LINGER be convicted.

Mr. TUNNELL. Is that a question?

Mr. LUCAS. The only reply I desire to make to the Senator from Utah is that Jim Mulloy was the greatest friend Senator LINGER had in North Dakota during all the trials and the troubles he had. Jim Mulloy is a self-confessed perjurer and criminal. He so admitted before the committee. However, it is significant that the man who made that confession was secretary of the industrial commission under Governor LINGER. He was his campaign manager when Senator LINGER was running for Governor. He is the same individual who befriended Senator LINGER throughout all his trials. Mulloy did all the dirty work in connection with the conspiracy and perjury trials. He traveled far and near to protect Governor LINGER. He was a friend in need at that particular time. But he now admits that he is a criminal, as the result of the very things he did in connection with those cases. He admits that

before the committee. He admits that the statute of limitations has run against the crimes he committed in connection with those cases. So I say again that the statute of limitations has run against the deeds of everyone else who had anything to do with the bribery, chicanery, the fraud, and the outrages which were committed in North Dakota. Therefore it makes no difference what anyone says about prosecutions in North Dakota. The people could not prosecute if they wanted to. Until the committee investigators went into North Dakota, no one knew about the so-called bribery charge we are now discussing.

Oh, if it was such an ethical thing, if it was something on the up and up, why did not someone at some time, somewhere, since then come forward and give the information to the people of North Dakota? That was never done. All those concerned remained as silent as the tomb upon this very important matter. Everyone knows that, and the Senator from Utah will not deny the fact that nowhere in the record was it stated by any witness that anyone in North Dakota knew anything about this bribery transaction involving \$525.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield for a question.

Mr. MURDOCK. I wish to make a brief observation with reference to what the Senator from Illinois has said about me.

Mr. TUNNELL. Very well.

Mr. MURDOCK. Let me say, first, that Senator LINGER is not the first man who has had his friends betray him and try to destroy him.

As to whether the people of North Dakota knew about the Wyman transaction, if there is nothing in the record on the subject, then I ask the distinguished Senator and lawyer from Illinois whether the presumption should not be indulged in behalf of Senator LINGER instead of against him.

Mr. LUCAS. The only answer I shall make, if the Senator from Delaware will pardon me for one further observation, is that during the debate the point has been made time and time again that the people of North Dakota having passed upon all these issues, therefore the Senate of the United States should accept the verdict of the people of North Dakota as final. We should accept the ambassador they have sent here.

One of the things which influenced the committee, which sat for weeks and months in attempting to analyze the evidence in such a way that we could properly present it to the Senate, was the very fact that the people of North Dakota knew nothing about this particular transaction; it was never brought out in any campaign; it was never discussed with the people of North Dakota; it was never passed on in any election. When we are dealing with the courts of this country, I am led to say that if there is one thing I have had respect for throughout my life, it has been the judiciary. I have been raised in a section of the country where the courts have always been honest. I have more respect for the judiciary than for any other branch of the

Government. When I see what was attempted in this case in the effort to influence the court, I am shocked. Some Members of the Senate have openly expressed themselves as being shocked at a statement or two in the majority report. But this Wyman transaction to some apparently is as pure and undefiled as a new-born babe.

I cannot see how the independent thinking Members of a great legislative body such as the Senate can condone the conduct of the respondent on a consideration and analysis of the record in the Wyman matter alone, if they are to uphold the integrity, the honor, and the dignity of this historic body. Mr. President, I speak not for myself, not for any Member of the Senate, but for the preservation of the rights and the security of this great Nation of ours in the future. Read the record, my fellow colleagues. There is not a single thing in the record of this proceeding from beginning to end that does not show disrespect for law and order.

Oh, yes; we were chided in the beginning because we dared to put in a few of the things that happened in the early career of this man; but, Mr. President, those things showed the pattern, the characteristics of this man from the beginning. That is the reason the committee thought it necessary to place in the record those strong-arm tactics of the respondent. That testimony fell from the lips of the Senator from North Dakota voluntarily. No one asked him for it. We did not depend upon that to convict. This early despotism showed the beginning of the pattern which we developed day after day, month after month, in listening to this testimony, until it wound up in the Wyman case, the land-bond deals, and the Mexican land-stock transactions.

Mr. President, this record reeks with acts involving moral turpitude from the beginning to end. Read and analyze the testimony, as 13 members of the committee did over a long period of time. Obviously I would not condemn any Senator for making a decision different from mine. I accord to my distinguished colleagues the same privilege which is mine, but to me, Mr. President, it is appalling, knowing the record as I do, to contemplate what some Senators are going to do in this case.

Mr. President, I wonder and I marvel sometimes how great questions are decided in a democracy. Some whim, some prejudice, or something having nothing to do with the facts helps make the final decision for many people.

Mr. President, the Senate of the United States has always been considered a great deliberative body by the entire world. Since I was a boy studying history out in the Douglas-Lincoln country I have always looked with pride and jealousy upon the symbol that the United States Senate represents. Candidly speaking, those early impressions are sometimes disturbed. They are being slightly jarred in what I believe to be a case that may mean a turning point in the pages of American history.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. TUNNELL. I am becoming quite tired of yielding, but I yield again.

Mr. MURDOCK. The point I wanted to make again for the benefit of the Senator from Illinois, who has just left the floor, and for the benefit of the Senator from Delaware, is this: The Senator himself says there is no evidence in the record on the question of whether the people of North Dakota knew of the Wyman case at the time of the election. I agree with him that there is no such evidence in the record, but I make the further statement that if there is nothing in the record upon which he bases his conclusions, then certainly under the law of the United States the presumption of innocence must be indulged in behalf of Senator LANGER. On that point, and every other which the committee failed to look at—

Mr. TUNNELL. Mr. President, I decline to yield further.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The Senator from Delaware declines to yield further.

Mr. TUNNELL. The Senator knows it was admitted from the start that there was nothing known to the people of North Dakota with reference to the Wyman transaction.

Mr. MURDOCK. I do not know of any such admission.

Mr. TUNNELL. I refuse to yield further.

The PRESIDING OFFICER. The Senator from Delaware declines to yield.

Mr. MURDOCK. Very well.

Mr. TUNNELL. We can argue and equivocate on that point all today, and we would not change the result.

I shall continue to read from Mr. Murphy's statement:

Mr. Sullivan has testified here why he gave it. I can't testify. I wasn't there.

Now, you have evidence here by Mr. Lemke that in 1937 that land was worthless, and yet you have his affidavit here which he files with the commission formally, under oath, in which he states that it is worth so much money, some \$900,000 for the portion of it only that has been expropriated by the Mexican Government, although the testimony shows that the company is still functioning, they still have a manager down there, and that there is a great deal of valuable land still in their possession.

Now, Mr. Sullivan tells why he gave it. He tells you about his speculative character, and that he has speculated other places—Florida, I think, and Alabama or Tennessee or some other State—and that in discussing it with Mr. LANGER, and with his wife, who had been the secretary for many years to Mr. Lemke, he thought it was a good gamble. Well, of course, LANGER would be glad to sell it to him, because the testimony showed that at that particular time he was certainly terribly hard up, as a result of these persecutions.

I do not know whether it was the result of persecution, or what it was, but I do know that Governor LANGER should have been getting in thoroughly good financial condition, since this was the second of two transactions in the same month, aggregating over \$80,000, for stock he had sold.

These people were not buying land; they were not buying bonds; they were buying a Governor, or they thought they were. They say they did not get him.

It is said that he did not deliver, and that therefore there is no question of moral turpitude involved. That is the only answer made to this charge. There is no denial that \$25,000 was paid. Mr. LANGER does not deny it. Sullivan does not deny it. Sullivan says he paid it. Mr. LANGER says he received the money. He tells the Senate what he did with it, but he fails to show what he gave in return for it. He fails to show that the stock had a cent's worth of value at that time, after it was shown by the president of the company that it was worth nothing.

Mr. President, our friend the Senator from Utah [Mr. MURDOCK] attempts to tell us that we are depending on the testimony of Mulloy. We are not depending on the testimony of Mulloy with respect to these deals. Sullivan and LANGER are the two persons upon whom we rely for the facts with respect to the \$25,000 deal. Governor LANGER delivered nothing—not even the worthless stock—in return for the money he received. Remember, Mr. LANGER went to Sullivan and suggested this deal, and Sullivan paid him the money, and took neither certificates, nor deeds, nor anything else. He has not yet asked for anything of that sort. That deal was made in 1937, nearly 5 years ago.

Mr. President, a Senator made the suggestion that the desk of Mr. LANGER had been broken into and the stock stolen. I do not know whether that is correct. I have not been able to find such a statement in the testimony. I found a statement which contained the suggestion that the desk of Senator LANGER had been broken into at some time, but nowhere do I find that anyone said that the stock was stolen, and I do not think that even Senator LANGER so stated. It is not sufficiently material for us to waste any time upon whether that stock, 30 years old, of no value then or now, was stolen. I do not know who would want to steal it. I think a thief who would steal that stock could get a premium on himself, not on the stock, from anyone who would take it.

Mr. President, we have before us the case of a railroad company whose taxes in North Dakota amounted to more than a million dollars a year. Its attorney, whose business it was to look after its interests in State tax matters, paid the Governor \$25,000, distributed over the period when the Governor was in position to be of benefit to the company as to taxes. There we have sufficient evidence of dishonesty on the part of both the corporation and the Governor to require no further proof as to the intention of the parties.

The Senator from Utah asked me a few minutes ago if I intended to question the judgment of the court. I shall not question the action of the court. I say it was very easy to get a reversal of the decision made by Judge Miller. After the first trial, the case again came up for trial, and at that time there were 10 jurors out of 12 who thought that Senator LANGER was guilty and who so decided. By the time, however, the third and fourth cases were reached, the Governor had his machinery working, and there

was no question about a conviction. A conviction could not be obtained even at the second trial. He had his man there, who had been reported to him as being all right. That man was on the jury, and he remained on the jury, and the Governor thanked him for taking the position he did. Not only did he thank him but he was paid \$950 in cash.

Let us consider the last one of these very serious charges, and that is the one with respect to the sale of land at or near Bismarck. Oh, it may be said, the bonds are involved in that deal. The bonds are perhaps involved in it, but, to my mind, the sale of the land very largely affected the sale of bonds in which Brunk and Brewer were interested. Senator LANGER received \$56,800 from a poor man. That man says in the record he was not a wealthy man, and is not yet, but he gave \$56,800 to the Governor, and he gave it right along as the profits came to him from the deal which he was able to make through Senator LANGER.

Senator LANGER had this property in April 1937. Experts were brought before the committee. I know that those who are supporting the claimant say that we cannot rely on experts. Those experts said that the value was not more than about \$5,600. Why was not someone who was not an expert brought before the committee to contradict that testimony? If experts are not reliable, why did not the supporters of Governor LANGER have real-estate agents from Bismarck come before the committee and testify that the land was worth \$56,800 at the time Senator LANGER sold it, and that it was worth the \$25,000 of mortgages on it, in addition to the unpaid taxes against it at that time? There were obligations against the land of more than \$80,000; and when the experts examined it they said that the equity in the land was worth not more than \$5,000 or \$6,000. Never was there a more beautiful chance for a defense than was given to Senator LANGER, if he had any defense—which he had not.

If experts are so unreliable, why did he not show by ordinary, average citizens of North Dakota that the land was worth more than \$5,600, which was the valuation the experts placed upon it, and that it was worth \$56,800? He could not do so. He could not find anybody in North Dakota who would swear to that kind of a lie, because it would be known everywhere that it was a lie. He could not obtain such proof. Although the opportunity lay before him throughout the whole hearing, he did not avail himself of it.

We are told that Brunk said that he was a great philanthropist. Philanthropists at the rate of \$56,800 in the case of a man who is not wealthy are pretty scarce, and they should be put in asylums.

However, Brunk told us that he had had some experiences in other States where he had not paid, and when he went into North Dakota he made up his mind that he would begin by paying. He began at the top, with the Governor, who was in control of the taxing power, the selling power, and the investment power. He was in control of the activities of the Bank of North Dakota in buying or re-

fusing to buy various bonds. It is said that he did not exercise such control. Again, according to his friends, he took the money but failed to deliver. He took the \$56,800. I have heard no Senator say that he would have done the same thing. I have heard no Senator say that such action was ethical, or that it was not criminal to accept money if the purpose for which it was given was what plain, common, ordinary horse sense tells us it was.

This is the statement of Governor LANGER, from page 605 of the record:

So I had this property in 1937 and that is about the time that I described to you that I was talking to Mr. Brunk about getting money to keep financing the Nonpartisan League. So, when I was talking to Mr. Sullivan down there in Chicago one day, in his office, we got into an argument about Mr. Lemke, and he was telling me about his honesty and fairness and so forth.

This statement is entirely with reference to the stock deal, but I shall read it through because I intended that it should be in the RECORD:

He was telling me about his honesty and fairness, and so forth, and finally I spoke up and said if he was so confident in Mr. Lemke's business ability and all that sort of thing, I had some stock a long time that I was perfectly willing to sell at \$25,000.

He had had the stock a long time, and it never paid a cent of cash dividends in that time.

And the upshot of it was that, after some talk, we drew up a contract on the 27th of May 1937, by which Mr. Sullivan bought \$25,000 worth of land, that land. I might add that Mr. Sullivan is well fixed. He had donated money to the campaign funds in North Dakota and later had donated \$4,000 in cash to Senator Nye's campaign, and he was in that shape financially.

On page 609 the following appears:

There is one thing that I should mention, and that is when I got hard up I borrowed money on my life insurance, and it seems that a lot of people in North Dakota thought that I had a lot of money because the fact got out that I had at one time \$100,000 in life insurance which I had accumulated over a period of years, and part of which was paid up, and the papers came out and pointed out the fact that here was a man who held \$100,000 worth of life insurance, and practically all of that was taken out and a good part was paid up before I became Governor; and the result was that, because of the publicity, the newspapers played the thing up, much to my disadvantage.

You gentlemen know just what you are up against: One man will come to you and borrow \$25 or \$50 or \$75, and other people will come around and want to borrow various sums and have investments that they want you to make; and the result was that I was in pretty desperate shape; and I mentioned it to Mr. Sullivan, and he knew the shape I was in; I had told him about it just as I had told Gregory Brunk; and I had the life-insurance policies with the Northwestern Mutual Life Insurance Co. pledged, had borrowed as much as I could; and, as I say, some of that money was payable, and when he gave me that money one of the first things I did was to get the life-insurance policies out of hock; and I told him, "I will give you one-half interest in what I have, which is a little more than \$25,000," and he gave me a check for twelve-thousand-and-some-dollars, and I took that check and promptly sent it to the life-insurance company, because I didn't know the amount of interest

that had accumulated, and they sent me back a check for four-thousand-and-some-odd dollars difference.

The reason for that explanation seemed to be that Senator LANGER, when he received the check for twelve-thousand-odd dollars, instead of depositing it in his home bank, sent it to the city where his insurance company was located and had them send him a check, so there was no way by which the people at home could know what the Governor was doing at that time.

The transaction with Sullivan took place on May 27, 1937, as shown by the following questions and answers in the record at pages 701 and 702:

Mr. BURKE. Was that during the year 1937? Senator LANGER. I think so; in 1937.

Mr. BURKE. You think it was—I wanted to get that definitely.

When did you first talk to Mr. Sullivan about your Land Finance Co. stock?

Senator LANGER. In May 1937.

Mr. BURKE. At or about the time the agreement was signed?

Senator LANGER. Yes.

Mr. BURKE. The same day, May 27?

Senator LANGER. That is my recollection.

Mr. BURKE. Where was that conversation held?

Senator LANGER. In Chicago, in his law office.

In other words, Senator LANGER had gone to Sullivan's office. Sullivan had not gone to the Governor to offer him \$25,000. Senator LANGER went to Sullivan's office, and this conversation took place on the same day the contract was drawn up to sell Sullivan—as Senator LANGER says—\$25,000 worth of stock.

Continuing:

Mr. BURKE. You were at that time Governor of North Dakota?

Senator LANGER. Yes.

Mr. BURKE. But you were in Chicago for some reason, and you called on Mr. Sullivan, and this agreement resulted?

Senator LANGER. I think I can tell you why I was there:

In 1937 I employed John Sullivan, his firm, in connection with some school trouble we had at the agricultural college—I don't know whether it was before that time or after that time.

Mr. BURKE. That is not material—you were in his office?

Senator LANGER. Yes.

Mr. BURKE. And this matter of Mr. Lemke came up, and you said you had this talk, and as a result of the conversation Mr. Sullivan said that he would like to buy \$25,000 worth of the stock at par?

Senator LANGER. Yes.

Mr. BURKE. And your being in his law office, you had that agreement drawn right there at that time; is that right?

Senator LANGER. I could not say as to that, but that is my best recollection; I think it was drawn right there.

Everyone who knew anything about the transaction or who listened to the testimony knows that the stock was worthless. The statement by the president of the company is that the stock was worthless. Sullivan did not give \$25,000 at par for stock which he could have obtained for practically nothing. It had no commercial value. Senator LANGER admits that to be so.

So far as the record shows, when Sullivan was called upon by Governor LANGER, without any delay or investigation, on the same evening, Sullivan signed a con-

tract to pay for stock which was then and now is without merchantable value, and which I am reliably informed can be bought for very little.

Now let us come to the testimony with reference to the land deal. Brunk was working with a man by the name of Brewer. They had made a "killing" in dealing with New York and other cities with reference to the bonds of North Dakota. Brunk testified that he made more money in 1937 and 1938, during the 2 years of Governor LANGER's occupancy of the office of Governor, than he ever made before in his life.

I desire to remind the Senate that all the payments which were made to Governor LANGER were practically in the proportion of 25 percent of the profits made on the various deals which Brunk was enabled to bring about in North Dakota.

The chairman asked the following question of Mr. Brunk:

The CHAIRMAN. * * * Now, what time was it that you made this transaction for the purchase of the land?

Mr. BRUNK. The first transaction was on the 11th day of May, 1937.

The stock deal was on the 27th day of May 1937.

The testimony continues, as follows:

The CHAIRMAN. And what was that?

Mr. BRUNK. This was a transaction the original document of which from my files appears as committee exhibit No. 4, and it was the sale of sections 9, 11, and 15, in township 139 north, range 71 west, Kidder County, N. Dak.

The CHAIRMAN. Was that the date that the man from your company went to North Dakota and made the deal?

Mr. BRUNK. That is right.

The CHAIRMAN. Now, before that, when did you first have a conversation with Senator LANGER about the transaction?

Mr. BRUNK. I do not know, in going through my files, whether I ran through any dates.

The CHAIRMAN. Just give us your best recollection.

Mr. BRUNK. A month or so before, I would think.

He said he sent his man down and told him to do what the Governor said with reference to the purchase of the \$56,800 worth of land—a purchase by a poor man.

Leaving out of consideration the fraud connected with the sale of the bonds in the State of North Dakota, which was gone into so fully by the Senator from Illinois, let us consider the transaction of the purchase of the land just referred to by Brunk. This is very well described on pages 822 and 823 of the record in the argument of G. R. McGuire on the part of the petitioners:

During the exact period that Brewer was making this \$300,000 in profits—

That is what the firm made in profits in dealing in North Dakota bonds in 1937 and 1938, approximately \$300,000—his partner, Mr. Brunk, was paying Mr. LANGER \$56,800, ostensibly for land. The appraisers say respondent's equity was worth one-tenth of that amount. It is interesting to note that the first substantial sale of county bonds, made by Brewer to State agencies in 1937 was in April.

They made the first substantial sale in April 1937, and made the purchase in May 1937, the next month.

Mr. McGuire's argument continues, as follows:

The first land contract is dated May 11, but Mr. Brunk says his oral negotiation with Mr. Langer was a month earlier (transcript of November 17, 1941). Hence these negotiations bear remarkable relation in point of time with the April bond sale. The tabulation of Brewer profits and the payments to Mr. Langer appearing in volume 10 at pages 1706-1709 show an equally remarkable relation. Mr. Brunk tried to show that errors had been made, but there are none of any substantial nature. Certain items of profits in the earlier months of 1937 are omitted from the tabulation because there is nothing in the record to show that these sales were made to State agencies. Likewise the profits from the sale of certain municipal bonds are omitted for the same reason. Two things remain outstanding: The payments to Mr. Langer in 1937 are equal to almost exactly 25 percent of the Brewer profits on county bond deals; and when the payments fell substantially below that figure in September the insurance commissioner was promptly refused permission to purchase \$50,000 of Hettinger County bonds from Brewer.

The halter was pulled on Brewer immediately when business—by way of money being paid to Senator Langer—began to fall off.

Mr. McGuire's argument continues:

Very little business is registered by Brewer until November. And now we have the coincidence that on November 15 Brunk entered into two more contracts to purchase land from respondent for something over \$32,000 and within a few days he paid respondent \$9,000 and simultaneously Brewer resumed making very substantial profits from sales of county bonds to the State.

Brunk admits buying this land practically sight unseen, letting Mr. Langer fix his own price. He admits paying for it in full when there were incumbrances against it exceeding \$20,000 which he claims respondent had agreed to pay. Brunk says that Mr. Langer or himself has until December 1 to clear the title by paying taxes, but surely he does not have until December 1 to clear the title to the Bert Smith land where title has already passed to the State on mortgage foreclosure, nor to clear title to the land in Morton County which has already gone to a tax deed. Mr. Brunk admits the transaction cannot be considered a good-faith purchase on any rational basis. He says he did it because he wanted to help respondent. It is truly remarkable how those who were profiting from their contacts with the State administration wanted to help respondent. Not only was the respondent, as Governor in control of the Bank of North Dakota but he was in control of the State industrial commission which had control over the bond purchases for both the bank and the State agencies. The respondent has so stated in a book entitled "The Non-partisan League" written by the respondent and from which the chairman quoted at the hearings.

The facts of this case were elicited from Brunk, principally by the Senator from Utah [Mr. MURDOCK], as shown by testimony on pages 786, 787, and 788.

The Senator from Utah [Mr. MURDOCK] devoted a great deal of time in an attempt to prove that we cannot exclude a man from the Senate because of what he did before the time of his election. However, at the hearings the Senator from Utah was the one who, perhaps more than any other, devoted much time and attention to proving acts involving moral turpitude on the part of Senator Langer in conjunction with Mr. Brunk.

The testimony, which begins at page 786, is as follows:

The CHAIRMAN. Any other questions to Mr. Brunk?

Senator MURDOCK. I would like to ask this question.

Mr. BRUNK. All right, sir.

Senator MURDOCK. You say, as a land transaction, you think that the transaction between you and Senator Langer is very irrational; is that right?

Mr. BRUNK. Yes; I do. I do not think any businessman would approve of any part of it.

Senator MURDOCK. I agree thoroughly with you. If your Scotch wife has a little trouble understanding it, you would not blame the Senators here if they did not?

Mr. Brunk had said that his Scotch wife could not understand the transaction. But he said more than that; he said that his partner Brewer was horrified when he found out that he had agreed to pay \$56,800 to Senator Langer. He said his partner was horrified. His partner had some idea of moral turpitude, I take it.

Mr. Brunk's reply is as follows—and he was speaking of his wife:

Mr. BRUNK. No; she agrees with all of you.

Senator MURDOCK. Now, if a group of men were looking for something to cover up, if they were doing a job that needed covering up, is it not quite rational for them to reach out and bring in a land deal such as you gentlemen did in this case?

Mr. BRUNK. Well—

Senator MURDOCK (interposing). Is not that the very thing that they would do if they had something to cover up, is to reach out in all directions and see what they could do to cover up, and is that not exactly what you have done in this case?

What was it? It was a cover-up. The Senator from Utah [Mr. MURDOCK] asked if that was not the very thing that they had done.

Mr. BRUNK. No; that is not exactly what I did. I might have followed a formula with you, as rational men, would have done if you had the one motive of trying to cover it up, but that is not what I did.

Senator MURDOCK. I will agree with you thoroughly that as a business transaction it cannot be explained on any rational basis, but as a cover-up transaction it seems to me that is just exactly the type of thing that you could reach out and cover up with.

Mr. BRUNK. Well, would you believe that it would be rational under those circumstances to pick a corporation that the secretary of state's office in Iowa showed to belong to me and to be used by me in many other transactions?

Senator MURDOCK. Yes; after listening to you here on the witness stand I can very well conceive you can do that very thing. I can also conceive, after listening to you on the witness stand, that you would handle a transaction by check instead of cash.

Mr. BRUNK. Well, I did.

Senator MURDOCK. What is irrational as a business deal, if all the details are not thought out, it may even be irrational as a cover-up scheme. That is the picture that I got.

Mr. BRUNK. Well, I am aware that the petitioners have that picture, and I am quite aware that many of my fellow townsmen at home would have that picture, but that is not my picture.

Senator MURDOCK. The thing we are trying to get at—you say it is irrational as a business deal. Now, I say that as a cover-up thing is it not the very thing that you would do? I would like to have your explanation on that.

Mr. BRUNK. Well, in the first place, I did not think those county-bond transactions involved the Governor's vote. I thought this thing was in momentum.

Senator MURDOCK. You told us early in your testimony that you found out in handling deals similar to this that you had to get the opposition out of the way, you had to buy them off, you had to do something for them, and as the result of your having failed to do that you lost a big deal.

Mr. BRUNK. That is right.

He was not going to lose this one.

Senator MURDOCK. You had learned your lesson?

Mr. BRUNK. But that official was not a public official.

The one who had to be bought off for was not a public official, Brunk said:

Senator MURDOCK. You said you had learned your lesson when you came into the North Dakota deal.

Mr. BRUNK. The South Dakota deal, pardon me.

Senator MURDOCK. You knew Governor Langer was one of the directors of the State Bank of North Dakota?

Mr. BRUNK. Yes; but I certainly did not consider him then, nor now, as opposition.

I presume he could get everyone else to agree that Senator Langer was not "opposition"—not after he got \$56,800, anyway.

Senator MURDOCK. You knew he was a director, did you not?

Mr. BRUNK. I knew he was Governor.

Senator MURDOCK. You knew if he was opposed to this transaction, which meant a profit from counties that could not afford to pay it to bond brokers, that you would have to get him out of the way to put it over, under your own theory; is that not true?

Mr. BRUNK. No; that is not true, and that had no part in the decision of this matter.

Senator MURDOCK. I know that that is what you say, but under your theory, if there had been opposition, and if there was opposition from the men handling the Bank of North Dakota, then under your theory you would have to get them out of the way, would you not?

Mr. BRUNK. Well, let us not—

Senator MURDOCK (interposing). That can be answered either "Yes" or "No," can it not?

Mr. BRUNK. Well, there was no opposition, and I did not think, through reasoning processes, that there would be demonstrated opposition. I did not believe it, and the statement of the deposits in the Brewer Co. indicates that the county deals were already in process before a single land contract was signed. I do not know whether it was deliberate to eliminate the three or four items that came in January of 1937 from this deal, and the one of April 7. There were many county transactions, I listed them here, four anyway, with this one of May 7, of April 7, here and of April 30 here, which total \$14,000 here before a land contract was signed. These were in process of being done. There was no opposition. This was an accepted thing.

Senator MURDOCK. Yes; I can readily conceive of that, but before any checks were delivered to Senator Langer the land transaction was consummated, according to you.

Mr. BRUNK. That is right. I think the first check was May 11, 1937.

So, at the time of the Sullivan deal, he had already sold the land and had gotten a check. The Sullivan deal was on May 27.

Senator MURDOCK. And the point that I am trying to make is that just this type of transaction would be the kind of cover-up transaction you would be looking for.

Mr. BRUNK. Pardon me, Senator. I think you are making the argument to me. I do not agree with those premises. The first check to him was dated the same day as the

first contract, May 11, and possession was taken that day.

Senator MURDOCK. Yes; I can see that.

Mr. VANDENBERG. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Delaware yield to the Senator from Michigan?

Mr. TUNNELL. I yield.

Mr. VANDENBERG. Noting the absence of 88 of the 96 "jurors," I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Glass	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Bankhead	Gurney	Reynolds
Barbour	Hayden	Rosier
Bilbo	Hill	Russell
Bone	Holman	Schwartz
Brewster	Hughes	Shipstead
Brown	Johnson, Calif.	Smathers
Bulow	Johnson, Colo.	Smith
Burton	Langer	Spencer
Butler	Lee	Stewart
Byrd	Lucas	Taft
Capper	McCarran	Thomas, Idaho
Caraway	McFarland	Thomas, Okla.
Chandler	McKellar	Thomas, Utah
Chavez	McNary	Tobey
Clark, Idaho	Maione	Truman
Clark, Mo.	Maybank	Tunnell
Connally	Mead	Tydings
Danaher	Millikin	Vandenberg
Davis	Murdoch	Van Nuys
Doxey	Murray	Wagner
Ellender	Nye	Wheeler
George	O'Daniel	White
Gerry	O'Mahoney	Wiley
Gillette	Overton	Willis

The PRESIDING OFFICER. Eighty-one Senators having answered to their names, a quorum is present.

Mr. TUNNELL. Mr. President, when the suggestion of the absence of a quorum was made I was reading from the colloquy between Mr. Brunk and the Senator from Utah [Mr. MURDOCK].

Mr. BRUNK. Maybe that is the way you cover up things, to send your man out to take possession of land that is as well known as the Langer land. I do not know. Maybe that is it, but I do not think so.

Senator MURDOCK. If you wanted to make the real-estate deal look genuine, that is exactly what you would do, is it not?

Mr. BRUNK. Well, it is genuine. I had \$2,300 or \$2,400 off of it this year, which indicates some genuineness to it.

Senator MURDOCK. That is all I have, I believe.

Senator TUNNELL. I would like to ask one or two questions.

The CHAIRMAN. Senator TUNNELL.

Senator TUNNELL. I understood you to say that you took this land over, did you?

Mr. BRUNK. I own all of the Realty Holding Co.

Senator TUNNELL. Why did you use the expression "horrified" with reference to Mr. Brewer? Why was he horrified?

Mr. BRUNK. Because he could see very promptly what you rational people see here.

Senator TUNNELL. He thought it looked crooked?

Mr. BRUNK. He thought it would appear to be bad, and he had not been dealing that way.

That is very illuminating when we consider that the man himself says that his conduct was irrational. He says that his conduct was irrational from any business standpoint. He says that his wife has never been able to understand

it. His partner was horrified. Horrified at what? Horrified at his giving the Governor of North Dakota \$56,800. Yet we are told that there is nothing of which the Senate should take notice, when the very persons most intimately connected with Brunk were wondering what it meant, or were horrified.

I wish to mention another thing at this point. Brunk says that he derived \$2,300 or \$2,400 from that land that year. If he obtained \$2,300 or \$2,400 from the land, that is not a large return on an investment of more than \$80,000. I do not know at what rate he was able to obtain money, but certainly interest and taxes would amount to something. He does not say that he received that much net, but he received that amount from the land that year. There is no denial of the fact that the land was heavily encumbered.

Yesterday—or perhaps it was Friday—the Senator from Wisconsin [Mr. LA FOLLETTE] discussed that subject in a very horrified way. He said that he was astounded when he found out that apparently \$2,300 or \$2,400 gross receipts were obtained from that land. I think all the rest of us, especially those on the committee, were astounded, when the Senator made that statement without going into the question of how much profit there was, that he should be astounded at the committee.

Various expressions of feeling have been uttered during this debate. A few days ago the Senator from Utah [Mr. MURDOCK] was "surprised" at the Senator from Illinois [Mr. LUCAS]. Yesterday the Senator from Oregon [Mr. McNARY] was "amazed" at the Senator from Rhode Island. I believe that was the word he used. The Senator from Wisconsin was "astounded." In this morning's newspaper I see the headline, "McNary blisters Green." I remember the so-called "blistering" attempt yesterday. I saw the Senator from Rhode Island last night. He seemed to be all right standing up. Today I notice that he is all right sitting down. [Laughter.] So perhaps the "blistering" was not so bad.

As I understand, the thing for which the Senator from Rhode Island was taken to task was this: A few days ago the Senator from Utah [Mr. MURDOCK] laid down the rule that nothing was to be introduced into the RECORD now. After he seemed to be surprised at something which the Senator from Illinois said, the first person to violate his rule was the Senator from Utah himself. He read a newspaper article into the RECORD.

The Senator from Oregon, not knowing that a Senator favorable to Senator LANGER had been the first to violate the rule, became amazed at the very thought that the chairman of the Committee on Privileges and Elections should have permitted an answer to go into the record. Being amazed is not so bad as being astounded. I think the Senator from Oregon was not so much amazed after he found out the history of this procedure, and that, as a matter of fact, the Senator from Utah had laid the foundation for just what happened.

I was somewhat interested in the statement of the Senator from Wisconsin [Mr. LA FOLLETTE] that he was astounded at the committee. As I listened to him I decided that the committee must have committed some criminal offense. I found out what it was. As I remember, the first thing which astounded the Senator was the fact that the committee had not said any more about the \$2,300 or \$2,400 which had been received by Brunk from the land, as appears from the record, though the expenses in connection with the land do not appear in the record, and we never had that information.

What seemed particularly to astound the Senator was the fact that the committee had not obtained figures as to the value of land contiguous to the land which LANGER had sold to Brunk. Just what that had to do with the question I do not know, and I do not know why anybody should be astounded. The value of the land had been proved. It had been proved to be about 10 percent of what the Governor of North Dakota had obtained for it from the man who was making \$300,000 out of deals with the government of North Dakota. In fact, he said he was getting so much money out of his deals in North Dakota that he decided to put some of it back. The trouble was that he did not put it back into the State treasury. He put it back into the pocket of the Governor, and that sort of a transaction has not yet been recognized as legitimate in most of the States. Apparently it was considered all right in North Dakota, but I have a notion that the people of North Dakota did not understand all about these things. I have a notion that the people of North Dakota are just as clear in their mental and moral perceptions as are the people of other States. I have a notion that the people of North Dakota are no worse than the people of other localities. I have a notion that the criminal element which tampers with juries and attempts to influence judges is no worse in North Dakota than it is in some other States. I think it has been better organized in North Dakota than in most other States. I think it is a little more difficult to convict members of that organization.

Do Senators remember the procedure when the Governor was about to be tried the second time? Letters were sent to almost every precinct in the State to stand by and to let him or his attorneys know about the jurors in the 2,200 precincts in North Dakota.

Apparently the replies were not all favorable, but one reply was. The message came back to the Governor, "Reich is all right." Reich was thanked by the Governor. He was one of the two who prevented a conviction. The record shows that the Governor thanked him. But that was hardly enough for a man who had done so much, so he was given \$950 in cash by one of the persons indicted with the Governor. Reich has not been heard from since.

There are several little things which I intend to add to the record. I have said that Brunk was not a wealthy man, but the record shows it. On page 770, we find the following:

The CHAIRMAN. Were you a wealthy man then?

Mr. BRUNK. No; not then, nor now. That is the chief complaint of my friends—that I do not wait until I get solvent before I do these things.

Mr. LUCAS. Mr. President, will the Senator yield before he proceeds to another point?

Mr. TUNNELL. I yield.

Mr. LUCAS. The reason I ask the Senator to yield is in connection with the Senator from Wisconsin [Mr. LA FOLLETTE] carrying on a debate some time ago with respect to the yield on this land. I think some questions were asked by the Senator from Maine [Mr. WHITE] with respect to the yield on the land. In the minority report, which was written by a distinguished lawyer from North Dakota, Mr. Murphy, we find this statement:

The yield to Mr. Brunk at the time of his purchase was figured at 2.36 percent.

A similar statement appears on page 35 of the report, and the only testimony in this connection was that given by Brunk himself in the hearings on page 235.

I should like to call the attention of the Senate to what the same Mr. Brunk, who is the essence of purity, said before the investigators in Des Moines, Iowa, as to what the yield of the land was. I refer to page 69 of the investigators' hearings, where there was a discussion of the tract of land which was purchased by Mr. Brunk:

Question. Has the property carried itself generally with the average income from it—carry the taxes and upkeep?

Answer. It hasn't yet.

Yet that was the same Mr. Brunk to whom the minority report referred as saying that the land had yielded 2.36.

I point that out simply to show how consistent the eccentric Mr. Brunk was when he was before the investigators at one time and when he was before the committee at another time.

Mr. TUNNELL. I thank the Senator. Apparently the Senator from Wisconsin had the idea that the committee had the burden of ascertaining the value of the land, and all that. The committee sent investigators, and the investigators said that the land was worth only about one-tenth of what the Governor had obtained from Brunk.

There was the chance to which I referred earlier today. It may be that it is hard to ascertain the value of certain stock which never had any value. That might be hard for even Governor LANGER to prove. However, it was not hard for him to prove the value of the land in the vicinity of Bismarck, if it had some value; but he did not do that.

The Senator from Wisconsin—I am referring to the senior Senator from Wisconsin; I do not want to arouse the antagonism of another Senator by this statement—took the committee to task because it did not call in the neighbors. I suppose, then, we should have called in the neighbors' neighbors, and so on, ad infinitum, in order to determine the value, saying nothing about the fact that the value had been established by the best

way of which we knew, and that the value so established was not contradicted by the best way the Governor knew, a way which it was in his power to adopt.

One of the things which make this deal all the more suspicious, as it seems to me, is the fact that, as appears by the record, Brunk did not have any money. He gave Senator LANGER checks; and then he said that the checks had to be held until he would have the money in the bank; and he gave the checks in small amounts, comparatively speaking—a thousand dollars.

On page 772 the chairman asked:

Will you tell the committee, Mr. Brunk, why on August 16, 1937, you issued a check to WILLIAM LANGER in the sum of \$1,000; on the same day you issued another check to him in the sum of \$1,000; on the same day you issued another check in the sum of \$1,000; and on the same day you issued the fourth check in the sum of \$1,000, all drawn on the Bankers Trust Co. Bank of Des Moines, Iowa?

Mr. Brunk stated that his reason was that he had to wait until there was cash there; but the check payments corresponded with the profits he was making out of North Dakota bonds in selling to or buying from organizations under the control of the Governor; and he would make the payments at a rate of about 25 percent of the profits he was making.

In other words, he had a partner; no doubt his partner was getting one-half; and Senator LANGER and Brunk were dividing the other half—\$56,800.

On page 774 of the record we find the following testimony:

Mr. BRUNK. I think that is right.

The CHAIRMAN. Did you ever telephone him a single time to cash or not to cash a check?

Mr. BRUNK. Yes; I did.

The CHAIRMAN. You did?

Mr. BRUNK. Yes; I did.

The CHAIRMAN. When?

Mr. BRUNK. I do not have in my mind the dates, but certainly ahead of some of these checks.

The CHAIRMAN. Did you ever tell him not to cash any one of these checks that are here?

Mr. BRUNK. Well, it was the other way around; he was not to cash them unless I told him to. I had to have money in the bank before they were good.

The CHAIRMAN. Then each time you sent him these checks he held them until you communicated with him and told him to cash them?

Mr. BRUNK. That is right.

The CHAIRMAN. It is strange the Senator did not remember that, is it not?

Mr. BRUNK. Well, I haven't read this testimony. I do not know what he remembered.

The CHAIRMAN. In your direct examination when you were on the stand before, you said something which I have not understood and I want you to make plain to this committee. You said that this transaction consisted of mixed emotions on your part.

"Mixed emotions." That language puzzled the committee, and it has never been made very clear. It was not entirely a business transaction. He had "mixed emotions." He had made some money, and he was handing some of it back to the Governor, who made the profits possible; but he had "mixed emotions."

The testimony continues:

Mr. BRUNK. That is right.

The CHAIRMAN. Part of them good and part of them bad. Just what did you mean by mixed emotions?

Mr. BRUNK. I think I said, as it now appears, some of them were not good.

The CHAIRMAN. Well, what ones were not good, Mr. Brunk?

Mr. BRUNK. Well, I did not avoid the appearance of evil, and that is not good. I would not be here had I avoided that, and that is not good.

The CHAIRMAN. Well, I still do not quite understand.

Mr. BRUNK. Well, I think, Mr. Chairman, if you would know 47 years of my life you would understand that better.

The CHAIRMAN. Well, unfortunately, the only period of life that this committee knows anything about is the period covered by these particular transactions.

Mr. BRUNK. That is right. That is unfortunate and that is not good.

The CHAIRMAN. That is not good?

Mr. BRUNK. I say it is not good that that is all you know.

The CHAIRMAN. Is that your explanation of what you mean by "mixed emotions"?

I think there was not a member of the committee who could not have given a better idea of what he meant than Brunk did.

Mr. Brunk replied:

No; that is not all the explanation—

If anyone can make any sense out of this, I hope he will do so—

I had representation of myself when I bought land; I had representation of Mr. Brewer when I was thinking in terms of bonds; I had representation of Governor LANGER when I was talking on the Wicks matter, and when I was talking to the Saturday Evening Post about the trial he had and the prosecution, and what have you. Those are not simple motives—

If anyone can tell what that means—

I did not have just one thing I was treating about. I had other clients at home; I had other problems at home. I said then and I say now I did not have one simple representation. And, therefore, it was not a simple representation. I do not know whether that makes sense or not, but that is it, Mr. Chairman.

I said later about some other things that I have learned to get some of my emotions simpler because of widespread publicity in the daily press of North Dakota in the election of 1938. Sometimes it seems I am awfully hard to learn. I have to learn from the outside instead of from the inside. I said to the good Senator at the corner there, with reference to the South Dakota deal, that I had learned that there were lots of things that are not the way you do things, and there was not a single man, or politician, or campaign fund, or any type of influence in South Dakota, because I read so many newspapers in North Dakota in connection with this relationship.

Again, I do not know what he means.

I quote further from the testimony:

The CHAIRMAN. Mr. Brunk, I do not want to draw any unfair conclusions. I am trying to arrive at the truth of this transaction. That is all I want to know. I want to ask you if this is a fair opinion, that your profits, the large profits you made in these transactions, were made during the years 1937 and 1938?

Mr. BRUNK. The largest profits we have made on just—not the largest profits I ever earned, but the largest profits I was ever able to take any part of were made in 1937 and 1938; that is right.

The CHAIRMAN. It was during those years that you were making these payments to Senator LANGER?

Mr. BRUNK. That is right.

The CHAIRMAN. Do you draw any connection between those transactions?

Mr. BRUNK. Do I draw a connection?

The CHAIRMAN. Yes.

Mr. BRUNK. Well, obviously, I cannot prove to anybody else that two things that had happened at the same time are not connected, but I do not draw the connection in that. I think when I show you figures that I worked out from these tables in the noon hour you will see the conclusion that is drawn here is entirely erroneous, is an entirely erroneous one from the facts.

I read now from page 784 of the testimony:

The CHAIRMAN. All right. Now, there is one other question. You have testified that you have paid the entire purchase price.

Mr. BRUNK. That is right.

The CHAIRMAN. The evidence shows there is some \$20,000 or \$25,000, or whatever it may be—

Mr. BRUNK (interposing). Not now.

The CHAIRMAN. How much is it now?

Mr. BRUNK. He has paid off a mortgage and some other things.

The CHAIRMAN. What would you say it is now?

Mr. BRUNK. \$15,000 to \$20,000.

The CHAIRMAN. \$15,000 to \$20,000 still unpaid?

Mr. BRUNK. That is right.

The CHAIRMAN. In that sense Senator LANGER is indebted to you in that amount?

Mr. BRUNK. He is; that is right. He admits it, too.

The CHAIRMAN. He admits it? Suppose he does not pay that; do you intend to collect it from him?

Mr. BRUNK. I think if I were to add myself to the long list of plaintiffs against him, and prosecutors of him, I would not be true at all to what inside me I believe in him, and I would not attempt to collect it.

The CHAIRMAN. In other words, Mr. Brunk, you would not try to force the payment?

Mr. BRUNK. No; I would not. He is liable to me, and the contracts show it.

But that was not such a debt as he would collect even though he pretends it was a part of the agreement. He admits that he never intends to collect it from Senator LANGER.

Mr. President, there has been much sneering at the so-called grab bag. What is meant by the grab bag? Those who have so referred to it have in mind some testimony taken by investigators sent to North Dakota by the committee which itself was appointed by the Senate of the United States. I heard one Senator say on the floor that he would not be governed by such testimony. I heard another Senator, who is usually very careful, say that no court in the United States would receive testimony so taken. I thought of the thousands of masters appointed in the courts of chancery throughout the country who go out and take testimony and return it to the chancellor. I thought of the commissioners who go out to take testimony in other States. I thought of my own State, where for many years persons were appointed to take testimony in divorce cases, hear all the evidence, and make a recommendation to the court.

Oh, but it is said, in this case the other side was not represented. Both sides were asked to produce witnesses. However, since I have been in the Senate, a little more than a year, I have been engaged in taking testimony in the case of claims against the United States when

the United States had no notice and was not represented. Only a few days ago I was asked to take testimony in a case of that kind. I am satisfied that that testimony will be used; and yet Senators stand on the floor and say that no such testimony would be received in any court in the United States. That was the statement made from the floor, although we know that testimony is taken in that way all the time, all over the United States, and is received by the courts.

I have never seen so much enthusiasm exhibited, I have never seen the spirit of the crusader so much evidenced, as has been apparent on the part of those who seem to be anxious to condone the acts which are referred to here as the acts of Senator LANGER. They say, "You have not a right to go back into his record. Here [exhibiting] is the report in the Arthur Gould case in Senate election cases from 1913 to 1940, and on page 277, with reference to the Arthur Gould case, I notice this:

Senate Resolution No. 278, submitted the previous day by Mr. Walsh, was placed before the Senate for consideration. There was some contention that the Senate had no authority under the Constitution to investigate the qualifications of a Senator beyond questions of age, residence, and citizenship, and that it had no jurisdiction to inquire into an alleged offense committed prior to the election of a Senator.

Does not that sound fairly familiar?

Constitutional provisions as well as precedents in both the House and Senate were reviewed, and it was pointed out that the House of Representatives had never denied that it had the right to exclude a Member-elect, even when he had three constitutional requirements.

Not expel, but exclude.

In behalf of Mr. Gould it was pointed out in the debate that during the campaign the people of his State were thoroughly familiar with the charges and that they had subsequently vindicated him by electing him to the Senate by the largest majority, in proportion to the vote cast, that had ever been received by a Senator candidate in the State of Maine.

That also sounds very familiar. Nevertheless the Senate went ahead and referred that case to the committee.

I have never seen so many classes appealed to as have been appealed to in the record in this case. In the first place, Senator LANGER refers to the fact that he was chairman of some committee in the Progressive campaign when Senator LA FOLLETTE's father was interested in the result and when the Senator from California [Mr. JOHNSON] had some interest in the campaign, as I recall. They have been appealed to indirectly, and it is placed in the record. If one is a Republican, Senator LANGER says, if ever he needed Republican help it was then, and that he had stood by the Republicans in every farming State whenever he was asked to do so. If one is a Democrat, he is referred to the fact that Mr. LANGER supported President Roosevelt in some of his campaigns. That is put in the record. Not only that, but the fact that he is connected with the Nonpartisan League has been shown. Then, once in a while it is injected into the record that he and the junior Senator from Ver-

mont [Mr. AIKEN] were the only two Republicans elected in some campaign.

Has there been an investigation in some State? If so, then the Senator appeals to his friends to resent the investigation, and we find persons who seem to be much interested in the general subject of investigations who resent them. The last of the particular appeals sent out was this, I think: "Do you belong to the W. C. T. U.? If you do, Senator LANGER is a life member." That is put into the record. Every appeal possible has been made to every class.

Mr. President, today the junior Senator from Utah [Mr. MURDOCK] became very much enraged when it was suggested that possibly a court of the United States was being reflected upon in the debate. I wish to read one paragraph from page 764 of the record:

Senator MURDOCK. Along the line that you are speaking, and, of course, I do not wish to imply that there is any evidence here that might reflect on the judicial conduct of Judge Wyman, but when Judge Wyman knew that his son was mixed up in this thing—

In this thing—

as he certainly must have known when he made the trip to Sioux Falls, I am wondering if after that happened and after a telephone call to Bismarck and he allowed his son to come up there, if that is not at least sufficient to put the conduct of the judge in question, even though he may not be on trial at this time?

That was the suggestion of the Senator from Utah, if you please. It appears on page 764 of the record. I do not think anyone has made a plainer reference or a plainer implication against Judge Wyman, or any judge in this case, than was made by the Senator from Utah in that statement.

Many communications to Senators with reference to portions of the testimony taken by the committee, were put into the record by the consent of Mr. Murphy, the attorney for Senator LANGER, who when the Senator from New Mexico [Mr. HATCH], then the chairman of the committee, asked whether the communications should be admitted, said, "I see no objection to having them placed in the record."

I now read a letter from Mrs. Herbert Roberts, which appears on page 799 of the record:

I protest testimony of WILLIAM LANGER regarding padlocking of store at Shields, N. Dak. As Morton County attorney, he padlocked my confectionery store on a false charge of selling poison without a permit. No question of sale of liquor was ever involved. I later sued him to recover possession of a drug stock which had been stored in the place while my then husband, John Hamre, was seeking a drug-store location.

Next is a letter from Arthur W. Fowler, as follows:

Advised LANGER testified before your committee that I paid Mulloy money in connection with his making affidavit against LANGER. This is an unqualified falsehood. Mulloy never solicited money, nor did I pay him any. Will be glad to appear and testify if required by your committee.

Third, Theodore F. Jeffries writes:

Following telegram sent to James Mulloy: "Have valuable information Langer case."

Frasier Owen and Langer are lying. Received gas, oil, and money to campaign for Langer. If you furnish expenses, will tell the committee many things you have left out. Answer Western Union. If I had money to come, would pay my own expenses. Only receiving an O. A. A. check. If you are interested and will pay my expenses, I will appear in behalf of the Government."

Next I read a letter from Mrs. James Mulloy:

DEAR SENATOR HATCH: I wish to most emphatically state that testimony given by Senator WILLIAM LANGER and J. H. Hanley pertaining to my husband's abuse of our small child, and statements of my husband's physical condition is absolutely false.

At no time have I ever made any such statements to either of them. I distinctly remember telling Mr. Hanley, as I told your investigators, that Jim is, and always has been, a very fond father. No one knows this better than Senator Langer himself.

I had the assault and battery charge brought against my husband mostly because he was intoxicated, and I refer you to Mr. George Register, State's attorney, for all details.

In fairness to myself and our small daughter, I most urgently request of you to be given a chance to be heard or to face my accusers, for I again repeat that both statements are deliberate falsehoods.

On November 17, 1941, V. E. Sandberg wrote the following letter, addressed to the Honorable CARL HATCH:

Because Senator Langer has seen fit to bring the city of Minot into his testimony before the Senate Committee on Elections, I am forced as mayor of Minot to advise you to completely disregard it. If the remainder of his testimony contained the same percentage of factual distortions, misstatements, and libels, then his entire story should be stricken from the record.

Senator Langer is quoted as stating that he brought some 50 detectives to Minot. As a matter of fact, not over 6 detectives were brought here and paid by the State's attorney of Ward County.

Senator Langer says he disguised himself as a laborer and stayed in Minot 3 weeks before the raid. Investigation proves this untrue. The man who served as State's attorney at the time says Mr. Langer arrived in Minot the night the raids were to be made, bringing with him his press agents.

Senator Langer is quoted as stating that 156 bawdy-house keepers were arrested—153 convicted. The statement, of course, is too ridiculous to deserve attention. There were in all less than a dozen such cases, and the only one in which an acquittal resulted was the single case tried by Mr. Langer.

Senator Langer is quoted as stating that Minot was so tough "lawyers feared to enter it at night." No honest lawyer, or crooked one either, ever needed fear being harmed in Minot unless his conscience was bothering him.

Senator Langer's testimony was a libel of the city of Minot. It was vicious and without foundation of fact and, as a matter of fact, goes a long way to establish in the minds of the people who know the facts the very charges of moral turpitude that have been preferred by petitioners.

V. E. SANDBERG,
Mayor, City of Minot.

Next I read a letter addressed to Senator WALTER F. GEORGE:

DEAR SIR: Enclosed is a clipping taken from the Minneapolis Tribune regarding the drug store at Shields, N. Dak.

This store belonged to my parents, John O. Hamre, and I wish to brand Mr. Langer's story

regarding it as a dirty, rotten lie and utterly false.

At no time were my folks accused of selling liquor. My mother was accused of selling poison [arsenic] without a license. My father was out of the town at the time.

There is much more to the letter, but it does not seem to be material to the issue before the Senate.

Mr. President, I am about to close. As I see it, the whole subject is one which requires a good deal of consideration because the evidence is so disconnected; in other words, the testimony of Mulloy would have to be taken at one time, the testimony of Wyman would have to be taken at another, and the testimony of Senator Langer would have to be taken at another. The transcripts of the testimony are therefore found in different parts of the volume of testimony, yet the various pieces of the testimony would have a good deal of connection, and in most instances the witnesses corroborate each other almost completely.

Mr. President, it has been said that the majority of the committee, in order to justify their finding, depend upon the testimony of Mulloy. I think I read to the Senate the recommendation which Senator Langer gave to Mulloy. In it he said that Mulloy was a man who could be trusted with millions of dollars in money; that he was a man in whom the people of North Dakota had the utmost confidence. This was a recommendation from the respondent himself.

The charges which have been made are established by evidence which, in my humble opinion, would convict any man before any unprejudiced jury in the criminal courts of the United States. I think the presentation of at least three or four of the cases would bring a conviction in any criminal court.

Mr. President, it has been said that the conclusions arrived at by the majority of the committee are on the basis of guess. It is not a matter of guess at all. The testimony presented in a number of these cases with respect to Senator Langer was direct, positive, and usually by two witnesses; by persons who took part in the proceedings, who were trusted by Senator Langer at the time he was attempting to interfere with the orderly processes of the court, when he was attempting to juggle the processes of judgment and of orderly procedure in the State of North Dakota.

No, Mr. President, Senator Langer has never been convicted in North Dakota, and he will not be convicted so long as he can use the machinery which he has been using in the State to prevent a conviction. Senator Langer had the machinery with which to juggle the jury in the case in which there was a 10 to 2 division of the jury. If a man is allowed to indulge in such procedure, if he is allowed to control the machinery, what meaning can attach to a statement made before the United States Senate that he has never been convicted? He never will be convicted until he is taken before an unbiased jury. The jury which tried him was not an unbiased jury. He knew it was not an unbiased jury when he was told that Reich was "all right," when he found that Reich

was all right, after he had, through his agents, tampered with the jury.

Mr. President, it is said, "No, a conviction cannot be obtained." He was convicted in the United States Court, but the next time he was tried he had two men on the jury. One of them received \$950. I do not know what the other received. There is no evidence as to that. But the committee itself has no special interest in the way any Senator votes on this particular case.

One suggestion was made yesterday by the Senator from Michigan [Mr. BROWN] with respect to which I wish to comment briefly. He said that he himself would have to be convinced that Senator Langer was guilty in one case. That is something which is true. If in one case moral turpitude is shown, and if Senator Langer does not show a reformation or change, he should be excluded from the Senate. The Senator from Michigan called attention to that yesterday, and that is true. Senator Langer is faced by a charge involving moral turpitude in each one of these many cases. Any one of them shows moral turpitude. Any one of them shows the commission of a criminal act.

Mr. President, I have heard of the enthusiasm manifested in certain quarters during the consideration of this case. One Senator would be reminded of the political work done by Senator Langer. Another one would be asked if anything had occurred to change his mind since last he was talked to. Oh, the enthusiasm of the crusader, the enthusiasm of the early evangelist, has seemed to be in the offing at this time. The case should not be decided in that way. The case should be decided upon the evidence which is before the Senate, and not upon imagination or suggestion, as has been stated by some Senators. No Senator is expected to decide the case in that way. To do so would be a reflection upon the Senate. To try to bring in the shades of those who are dead, those who formerly were Members of this body, with the idea of prejudicing Senators, or of changing their votes, is to cast a reflection upon the Senate. Senators should vote their convictions, and should vote to uphold the Constitution of the United States.

Mr. President, if any one of these cases, especially the important cases, the large cases, do not establish moral turpitude, I do not understand the meaning of the words "moral turpitude." If those cases do not establish the fact that this man should be among those who have been excluded from the Senate in the past, I am entirely at a loss to understand the true situation.

Mr. President, I have spoken much longer than I intended to speak. I can only say that I think each Senator will and should do what it is his duty to do, to cast his vote in this case according to the evidence, according to his conscience, according to the oath he has taken, and under his duty to the God who has established this sort of government in the New World, and for the best interests of the country which is anxiously struggling today to prevent cor-

ruption from without getting control of the land. Let us, as our duty demands, prevent the overcoming of the Nation by corruption from within.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1057) to establish a system of longevity pay for postal employees.

GENERAL MACARTHUR'S APPEAL— PRODUCTION FOR WAR

Mr. O'DANIEL. Mr. President, I wish to say a few words with reference to the deplorable conditions existing in this Nation, which have aroused the righteous indignation of the good people in my State and in many, if not all, the 47 other States of the Nation. The conditions of which I speak are those which are retarding the production of essential war materials needed by our brave men who are at the battle's front, outnumbered, underarmed, and underprotected.

I believe the Senate should give consideration to the masterly appeal for help by Gen. Douglas MacArthur, who, from one of the last outposts of retreat—Australia—in the far Pacific, has sent these words:

I have every confidence in the ultimate success of our joint cause, but success in modern war requires something more than courage and willingness to die. It requires careful preparation. No general can make something out of nothing. My success in the future will depend primarily upon the resources which the respective governments place at my disposal.

Mr. President, let us now analyze that urgent appeal for war material. Let us not simply casually read it as another news item and pass it by to go down in history for our great-grandchildren to memorize, as some of us as children memorized the Preamble to our Constitution, Lincoln's Gettysburg Address, and other great state documents. In the first place, Mr. President, that appeal by General MacArthur was aimed directly at the United States of America. According to our Constitution all legislative power of the United States of America is vested in a Congress, consisting of a Senate and a House of Representatives. Therefore I consider that urgent appeal by General MacArthur was aimed directly at you and at me and at every Senator holding membership here.

What are we doing about it? I will tell Senators what we are doing about it. We are sitting here debating a political matter, the settlement of which can place in General MacArthur's hands not one additional weapon of defense with which to save the lives of his brave men or save the life of this Nation.

On top of that, it has been quite generally rumored in news circles that as soon as this week is ended—it being the third week of this prolonged Langer case debate—both branches of Congress may take a recess or Easter vacation of 2 weeks. O God, the irony of the circumstances—while our brave boys per-

ish at the battle fronts, and General MacArthur appeals for help, our Senators and Representatives may desert their posts of duty by recessing under the pretense of observing the resurrection of our Saviour!

Why this postponement of duty, Mr. President? Why not do something to help General MacArthur? That is the question. Why does the Senate of the United States of America not try, at least, to do something in answer to the urgent plea of General MacArthur?

We are not even trying. We are wholly ignoring General MacArthur's appeal from Australia. We are ignoring it as fully and completely as General Wainwright ignored the demand of the Japs for his surrender. Why this apparent inattention to General MacArthur's appeal? Even though every Senator individually knows of nothing that can be done to help him, surely we could bring the subject up on the floor for discussion. Surely we could at least offer a Senate resolution acknowledging his plea and pledging interest in his case. But no; we are ignoring General MacArthur's urgent appeal for help.

As for me, Mr. President, I have some ideas in mind as to how the Senate can help General MacArthur and his brave men. I, for one, am convinced that his plea is more important than the Langer case right at this particular time. I, for one, am convinced it is more important than a 2-week Easter vacation for Members of the Congress. I am convinced it is more important than 40 hours' work per week; time-and-one-half wages for overtime, and labor-leader-racketeer hold-up fees for the right of honest laboring men to work. I am convinced it is more important than the right of thugs to beat honest laboring men over the heads with clubs just because those honest laboring men want to work at a job open to them. I am convinced it is more important than for war profiteers to get rich while our boys fight and die for our country.

Because these matters are controversial, however, or for other reasons, we shirk our duty and responsibility in this matter. While MacArthur pleads in vain, our men die on foreign soil, and the strong, greedy hands of aggression clutch ever and ever nearer to our throats and the heart of our Nation, we take no action.

Yes, Mr. President; I have some suggestions as to what I think the Senate should do, and should do today, or as soon as possible.

My suggestion is that the Members of the Senate acknowledge General MacArthur's urgent appeal and give it immediate consideration. I also call upon the committees which have my labor bills, and other bills of like nature, locked up in their files, or under consideration, to bring those bills out on the floor of the Senate and let us debate them, and honestly vote on each one of them by a yea-and-nay vote.

Mr. President, I admit the Langer case being discussed is important, and I congratulate the Senators who are doing their duty in debating the case. The point I am making is that I consider the

appeal of General MacArthur and the winning of this war to be more important than that, and I urge the Senate to give immediate consideration to legislation which will speed up the production of war materials.

WAR PRODUCTION AND LABOR

Mr. McFARLAND obtained the floor. Mr. AUSTIN. Will the Senator yield to me for the purpose of suggesting the absence of a quorum?

The PRESIDING OFFICER (Mr. BANKHEAD in the chair). Does the Senator from Arizona yield for that purpose?

Mr. McFARLAND. I do not care to yield for that purpose. I thank the Senator, however.

Mr. President, during the last several weeks I have received daily an increasing number of letters and telegrams from individuals and organizations in my State urging and demanding that immediate action be taken to put our war industries on a maximum-production basis, 24 hours a day, 7 days a week. I consider these communications to be the most important I have received since I have been a Member of the United States Senate. Some of them are the pleas of the parents, wives, brothers, sisters and loved ones of the men fighting our battles on the war fronts of the world. All of them call to mind the solemn obligation we at home have to keep faith with those who have gone forth to give their lives, if need be, that this great Nation of ours may continue to endure. They come from school children in whose young minds there is beginning to form the awful doubt whether America is and can remain invincible. They proclaim the readiness of an aroused and angry America to cast aside freedoms, rights, privileges, and traditions which we have held sacred since our country was founded, if that be necessary, or if that will more quickly win the war.

Mr. President, if I needed to be aroused, if I needed to be impressed, the voices of the people of my State and the voices of the people in every part of our Nation would have certainly done the job. In fact, however, I have been at all times and am now willing to do anything that is necessary to win this war, and to do anything that is necessary to win it as quickly as is humanly possible. No American worthy of the name can know what is at stake in this hour and yet fail to cast aside personal interests, personal advantage, and any thought of consequences which may follow to him personally because he does his duty. But in our attempts to solve the problems which confront us today we must be careful that we do the things that will accomplish the desired ends. It is easy to criticize and, when the news from the battle fronts is not encouraging, it is human to want to do something different from what is already being done. As Members of Congress we still have the obligation and the duty of coolly and deliberately surveying the problems before us, of carefully analyzing the defects in our war effort, and of making certain that the action taken will better the situation and not make it worse.

Insofar as the letters and telegrams which I have received urge specific action by Congress, they ask legislation on two subjects: Strikes and the repeal or suspension of Federal wage-hour laws. It is my intention at this time to deal principally with those subjects.

Practically all those urging that I support legislation which would prohibit strikes have supported their views with figures, usually quoted from the press or the radio, indicating that production is being very seriously hampered by strikes. Representative of the figures given me are charges that strikes in defense industries in January of this year numbered 43, and in February, 76; that more than 2,000,000 man-hours of labor were lost in February through strikes, and that the man-hours lost through strikes in February would have built 2,000 bombers. I have made a thorough investigation of these figures and I am convinced that they are entirely inaccurate. The records of the Bureau of Labor Statistics, Department of Labor, and the National War Labor Board, which are official figures, show that strikes affecting war production in January numbered 10, and in February, 21; and that, with approximately 7,500,000 persons employed in war industries during the period from January 1, 1942, to date, 99.97 percent of those employees did not lose a single minute as a result of strikes.

Further than this, it should be pointed out that not a single strike which has occurred since December 7, 1941, has been authorized by a labor organization; that such strikes as have occurred took place against the advice, policy, and attitude of the labor organizations and in spite of organized labor's efforts to prevent them; and that, according to Mr. Donald Nelson, Chairman of the War Production Board, organized labor has fully, faithfully, and sincerely kept its word to the President and to him, that no strikes would be countenanced or authorized for the duration of the war, and has cooperated fully in settling and terminating such unauthorized work stoppages as have taken place.

Because of the confidence which I know our people have in Mr. Nelson and in our Army and Navy officers who are in charge of the problem of war production, I feel that it should be noted that at a meeting held March 17, 1942, attended by representatives of the War Production Board, the Army, the Navy, the Maritime Commission, the War Labor Board, and the Department of Labor, the strike situation was reviewed and a public announcement was made that there existed no work stoppages which "significantly affect the war-production program."

I know it will be contended that one strike or one hour of labor lost through strikes at this critical hour is too much, and that the damage to the Nation's welfare is as grievous if a strike is unauthorized as if it were authorized. I fully agree with that argument; but the real question before Congress is whether the three-one-hundredths of 1 percent of labor can best be brought into line by legislation which, rightly or wrongly, is opposed as unjust and uncalled for by the

millions of American workmen who are working and patriotically doing their duty, or whether it should be brought into line by the influence of public opinion, the counsel of its leadership, and the example of its fellow workers. In this connection, I feel that Congress, in answering the question, must give consideration to the fact that every single man who represents the Government and the people in the production effort, from Mr. Nelson on down, has opposed taking the way of legislation, for the reason that it would do more harm than good.

The communications received by me indicate that some of our people have the understanding that workers in war industries are prohibited by Federal law from working in excess of 40 hours per week. This is incorrect. There is no Federal statute which makes it unlawful for men to work in any industry more than 40 hours a week. In proof of this statement, let me cite the following figures as to the average weekly work hours in certain defense production industries for the month of January 1942, which show that defense workers are actually putting in substantially in excess of 40 hours a week.

Industry:	Hours
Foundries and machine shops.....	46.9
Machinery.....	47.1
Brass, bronze, and copper products.....	46.1
Machine tools.....	55.0
Aircraft.....	48.7
Shipbuilding.....	48.2
Engines, turbines, etc.....	51.1

There are two factors which should be borne in mind in connection with the figures for weekly hours cited here. The first is that the figures are for hours actually worked, not merely scheduled hours; time lost by workers through accidents, illness, or for other reasons have, of course, reduced the average hours. The other is that the figures are for January 1942; and I am informed that the present figures for some of the industries are higher.

Most of the people who have written to me advocating the repeal or suspension of the wage-hour laws have expressed the view that this action should be taken for the reason that the laws, and the regulations and practices which have sprung up thereunder, require payment of extra time for all hours per week in excess of 40 and for any work done on Saturday afternoon, Sundays, or holidays. The common opinion of these citizens, as I gather it from the mail I am receiving, is that the necessity of paying this extra time is likely deterring some war production plants from working longer hours, that payments for extra time are adding very heavily to the cost of our defense, and that war workers are or should be patriotic enough to work longer hours at regular rates during this emergency. These arguments are very persuasive; and if one would feel justified in acting on the basis of these arguments alone, he might very well reach the conclusion that the present situation with respect to overtime payments should be altered.

However, what all of us want, primarily, is more war production. We want to see all of our defense production industries

working 24 hours a day 7 days a week. To that end Mr. Nelson has been placed in full charge of the production effort and told to produce or else. He has, we all feel, made a splendid beginning; he has the confidence of the people that he can get the production; and he himself is confident that the job will be done. I feel compelled, therefore, in considering legislation with regard to war production, to give serious thought to his opinions and his recommendations. I am not bound by his views, but I certainly am not at liberty to disregard them and yet expect him to get results.

On Thursday last, at a hearing before an appropriations subcommittee, Mr. Nelson testified concerning overtime pay, and I summarize his views as follows: He is opposed to any change in the practice of paying time and a half for hours in excess of 40 per week, for the reason that it provides an incentive to workers to work longer hours and provides an incentive for needed workers to enter war production industries. He stated, also, that overtime payments were being to some extent absorbed in living costs; and it was his opinion that the effect of eliminating such payments would be to precipitate requests for increases in regular hourly rates, with resulting disruption and interference with production. On the question of the payment of double time for Saturdays, Sundays, and holidays, Mr. Nelson stated that he was opposed to such payment except when the Saturday, Sunday, or holiday was the seventh consecutive day worked by an employee; in other words, he opposes the payment of double time merely because the day's work was done on Saturday, Sunday, or a holiday. Mr. Nelson said, further, that legislation was not, in his opinion, necessary or advisable in order to eliminate the double time to which he objected, that the matter could best be handled by the War Labor Board's establishment of a war-labor policy.

During the hearing to which I am referring, Mr. Nelson was asked the plain question:

What legislation can Congress enact at this time which would help you in your efforts toward increased production?

His reply was substantially as follows:

It is my considered opinion that I cannot be helped by legislation, and I might be seriously hurt by ill-advised legislation. I do not see any particular legislation which would help; all the factors in production are within the hands of ourselves, labor and management, and the problem can be solved by our mutual determination, spirit, and energy. If and when I conceive that any legislation may be necessary or helpful in the matter of production, I will recommend it immediately. I would consider myself derelict in my duty to the Nation at war if I did not do so.

These are, in substance, the views of the man who, by appointment from our Commander in Chief, carries the responsibility for our war production.

Mr. BONE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HUGHES in the chair). Does the Senator from Arizona yield to the Senator from Washington?

Mr. McFARLAND. I yield.

Mr. BONE. I wonder if Mr. Nelson gave the committee any indication of the loss of man-hours of labor because of industrial accidents and sickness. The other night I heard given over the radio some figures which were astounding, and I think they might well be brought to the attention of the Members of both Houses of Congress, because they presented such a staggering picture of the loss of time, due to accidents and sickness of one kind or another.

Perhaps some forms of sickness, due to factory conditions, could be corrected. Nevertheless, the figures presented a very startling picture; and, contrasted with man-hours lost because of strikes, they create some very unique comparisons.

Mr. McFARLAND. I thank the Senator for the suggestion. I, too, feel that the figures would be enlightening. I think they should be produced.

Mr. MURRAY. Mr. President, if the Senator will yield to me, I should like to supply the figures at this time. I think they should appear in the Record at this point.

Mr. McFARLAND. I yield for that purpose.

Mr. MURRAY. I understand that the loss of man-hours because of strikes amounts to approximately 30,000,000, and that the loss of man-hours because of accidents amounts to 460,000,000.

Mr. BONE. In other words, that is the comparative status?

Mr. MURRAY. Yes; that is the comparative status.

Mr. BONE. Thirty million hours were lost—

Mr. MURRAY. Thirty million hours of labor were lost because of strikes, and 460,000,000 hours were lost because of industrial accidents.

Mr. BONE. In other words, if we had two lines of varying lengths, one would represent the 30,000,000 hours and the other would represent the 460,000,000 hours? That is the comparison the Senator draws, is it?

Mr. MURRAY. That is correct; and no discussion whatever is being had with reference to the loss of time because of accidents. The whole argument seems to be relative to the loss of time because of strikes.

Mr. BONE. Of course, from whatever source the loss arises, it is a loss, and it should be considered on that basis; because the loss accrues to the country; and during a death struggle it is immaterial to the country from what source the loss arises, provided anything can be done to stop it.

Mr. McFARLAND. I thank the Senator for their suggestions.

Mr. President, we can conscientiously permit Mr. Nelson to remain in his position only so long as we have confidence in him and are willing to give weight to his recommendations. I, for one, feel that he is entitled to an opportunity to demonstrate the soundness of his position and the accomplishments that can be made under his program.

I realize fully, Mr. President, that, while I have here made no mention of them, there are other phases and aspects of the production problem which are receiving the thought and attention of the

Members of the Senate at this time. I realize also that there are important steps to be taken toward placing our war economy and our war effort on a sound basis. In this latter connection I want to express the hope that we shall shortly have an opportunity to give full and serious consideration to legislation which will limit war profits and legislation which will establish wage ceilings for the duration of the war.

Mr. President, while I am speaking I wish to make a brief statement with reference to another and related subject. Many of the letters and telegrams from my people repeat charges recently made in the press and on the radio to the effect that in enacting the provisions of the price-control bill with reference to agricultural commodities and in enacting the legislation which restricts the Commodity Credit Corporation in the disposition of certain agricultural commodities which it has acquired, the Congress surrendered to the demands of a "farm bloc" and "sold out" for the farm vote. I shall take a few moments to explain just why Congress was justified in giving separate consideration—not special consideration, mind you—to the farmers of America, who are being called upon to produce as never before in order that the United Nations may have the food and sustenance which are indispensable to victory in this war.

For many years past our Government has been making every effort to insure parity prices to producers of agricultural commodities—which is saying no more than that our Government has been making every effort to insure farmers that the prices they receive for their products will be just and equitable in comparison with the prices they must pay for the things they buy.

Such governmental policy and purpose has had the support of the overwhelming majority of our people because the great mass of our people recognized the justice and economic merit of any governmental assistance which might be necessary in order to bring the income of the farm people into reasonably close balance with the income of the rest of our people. I feel that it can also be said that our involvement in the war has made more important than ever before the attainment and maintenance of fair relationships between the incomes of our various population groups. No particular class is entitled to profit by the war, and no class should be discriminated against in our war economy.

If, as I feel we must concede, the granting of parity to farmers was proper and correct in peacetime, if it is necessary in wartime in order to enable farmers to contribute as they should to the whole war effort, wherein are the provisions of the price-control bill with reference to agricultural commodities wrong and unfair? It is pointed out that the price ceiling for farm products is fixed at 110 percent of parity, and not simply at parity; it is argued that, although farmers are justly entitled to parity, the bill gives them 110 percent of parity. Let me demonstrate that if the bill fixed parity as the ceiling it would never be possible for the farmer to obtain parity. Obviously, if cotton, for ex-

ample, were allowed to rise in price until it reached parity, and the ceiling were then imposed, the price of cotton would not, in the very nature of things, remain at parity; it would fluctuate between parity and some point below parity. More likely than not, as soon as it reached parity, and its rise halted, there would be a reaction driving it below parity. Thus it can be seen that if the farmer is to get an average which will give him parity the ceiling must be fixed at something a little above parity.

When the price-control bill was pending before the Congress there was a great deal of contention concerning the provision which requires the Administrator to have the approval of the Secretary of Agriculture prior to fixing a price for agricultural commodities, the criticism being that the provision ignored the interests of consumers of farm products. I feel that that argument has been fully answered by the record of the manner in which the provision has actually operated and the cooperative spirit in which both the Administrator and the Secretary have entered upon their duties under the law.

Turning now to the legislation with reference to the Commodity Credit Corporation and its commodity stocks, I point out that it was introduced in Congress at a time when Government officials announced a policy of using stocks of corn, wheat, and cotton in order to keep those products at 85 percent of parity. The bill relative to the Commodity Credit Corporation and its commodity stocks was passed because a substantial majority in Congress felt that the proposed policy of using the stocks of commodities in order to keep the prices of such commodities at 85 percent of parity was an absolute reversal of a sound, public-approved agricultural program, and would result in the lowering of prices for the commodities affected, notwithstanding such prices were still below levels which have for years been considered fair and just. It should be noted, further, that even those who opposed the legislation proposed, as I understood them, to adjust the farm income with that of other groups through the medium of parity payments amounting to several hundred millions of dollars, to be paid out of the Public Treasury. In other words, the real issue was whether the farm group would obtain parity through the operation of natural economic processes or through a continuance of Government payments.

I am aware that many of those dealing publicly with the action of Congress in this matter were very ready to hurl the charge of "politics," and to accuse those voting for the legislation of attempting to get the farm vote. I have heard and read many such charges, but I have yet to find one such gentleman who is willing or able to support his accusations with facts. Uniformly, such discussions are absolutely devoid of factual data, but are long on bald charges that Congress voted to increase the cost of living. None of those making such charges has attempted to explain why the Senator from Nebraska [Mr. NORRIS], who has announced his intended retirement from the Senate at the conclusion of his present term, should be sufficiently

interested in politics to vote for the bill, or why the Senator from California [Mr. JOHNSON], who ordinarily does not even have an opponent in his race for the Senate, should "sell out" to the farm bloc.

I do not for a moment contend that the cost of living is not too high, or that nothing should be done about it. The point I make is that the legislation I have been discussing is not the reason why foodstuffs and other agricultural products have risen in price beyond justification. When we remember that the farmer gets as little as 20 percent of the price we pay for many of the foods that come to our tables, it becomes apparent that attention may well be given to the part others than the farmer have had in price rises.

Mr. President, regardless of the fact that I cannot share the views of all who have communicated with me concerning the problems which are before us, regardless of the fact that much of what has been written to me is critical of Congress and myself, I say with all sincerity that nothing which has occurred since the outbreak of the war has heartened and encouraged me nearly as much as the flood of expression from the people at home. It gives me renewed assurance that America has the will and the determination to fight and to win. It demonstrates to me just how wrong are those who preach that a great and genuine democracy is incapable of arming itself and fighting through to victory. I am grateful to my people, and I pledge them that during these days of trial there will be for me but one test by which I will determine every question and issue which is presented to me: Is it for the best interests of my country at war?

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

Mr. TAFT obtained the floor.

Mr. OVERTON. Mr. President, will the Senator from Ohio yield?

The PRESIDING OFFICER (Mr. ROSIER in the chair). Does the Senator from Ohio yield to the Senator from Louisiana?

Mr. TAFT. I yield to the Senator from Louisiana.

Mr. OVERTON. Mr. President, I offer an amendment in the nature of a substitute to the amendment of the Senator from Rhode Island [Mr. GREEN] to Senate Resolution 220 declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota. I ask that the clerk read the amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Louisiana will be read.

The LEGISLATIVE CLERK. In lieu of the amendment offered by Mr. GREEN to Senate Resolution 220, it is proposed to insert the following:

That since it appears that WILLIAM LANGER has been duly elected a Senator of the United States from the State of North Dakota, and that the returns of such election and the credentials submitted to the Senate by the

said WILLIAM LANGER are valid, and since it further appears that the said WILLIAM LANGER has attained the age of 30 years, has been 9 years a citizen of the United States, and was, when elected, an inhabitant of the State of North Dakota, the said WILLIAM LANGER cannot, by majority vote, be excluded from, or deprived of, a seat in the Senate of the United States.

Mr. McNARY. Mr. President, will the Senator from Ohio yield?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Oregon?

Mr. TAFT. I yield.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Ohio yield for that purpose?

Mr. TAFT. I yield for that purpose.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Glass	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Bankhead	Gurney	Reynolds
Barbour	Hayden	Rosier
Bilbo	Hill	Russell
Bone	Holman	Schwartz
Brewster	Hughes	Shipstead
Brown	Johnson, Calif.	Smathers
Bulow	Johnson, Colo.	Smith
Burton	Langer	Spencer
Butler	Lee	Stewart
Byrd	Lucas	Taft
Capper	Maloney	Thomas, Idaho
Caraway	Maybank	Thomas, Okla.
Chandler	McCarran	Thomas, Utah
Chavez	McFarland	Tobey
Clark, Idaho	McKellar	Truman
Clark, Mo.	McNary	Tunnell
Connally	Mead	Tydings
Danaher	Millikin	Vandenberg
Davis	Murdock	Van Nuys
Doxey	Murray	Wagner
Ellender	Nye	Wheeler
George	O'Daniel	White
Gerry	O'Mahoney	Wiley
Gillette	Overtone	Willis

The PRESIDING OFFICER. Eighty-one Senators have answered to their names. A quorum is present.

Mr. TAFT. Mr. President, the legal questions involved in connection with the resolution now pending have been so well discussed by the Senator from Utah [Mr. MURDOCK], and the Senator from Louisiana [Mr. OVERTON], very much along the line I intended to follow, that I shall speak briefly, and only for the purpose of explaining why I intend to vote against the committee resolution.

The resolution reads in a rather awkward form:

Be it resolved, That this case does not fall within the constitutional provisions for expulsion or any punishment by two-thirds vote, because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

Be it resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

I understand an amendment has been offered by the chairman of the Committee on Privileges and Elections to the first section of the resolution, but the effect would be the same, a declaration that this is not a matter for a two-thirds vote, but is to be decided by a majority vote.

By this resolution it is proposed to exclude from the Senate, by a majority vote of the Senate, a man duly and properly elected by the people of a sovereign State. No question whatever is raised as to the validity of his election, and all charges regarding irregularities in connection with the election have been dismissed by the committee.

We are asked to exclude Mr. LANGER, not because of any disqualification by an express provision of the Constitution, but simply because of alleged defects of personal character. We are asked to exclude him because of moral turpitude said to be proved by various acts which took place prior to his election as Senator. Certainly the Senate should hesitate a long time and seriously consider before it excludes or expels any man because it disapproves of his character.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CONNALLY. I should like to ask the Senator for his view on one point. After a man has been elected Senator, when there is no question as to his title, or measures up to the three negative qualifications set forth in the Constitution, is there any way by which he can be gotten out except through expulsion? Is it not a question purely of expulsion?

Mr. TAFT. In my opinion it is, and I intend to develop reasons for that view.

Mr. CONNALLY. If I may interrupt just a moment longer, in this case, if Senator LANGER is not to be a Senator because he is too bad to sit here with us, that is a situation which calls for expulsion, and not exclusion.

Mr. TAFT. It appears to me clear that even on the committee's charges it can only be expulsion, and cannot be exclusion.

Mr. CONNALLY. I thank the Senator.

Mr. TAFT. In my opinion, our action can only be taken under the provision of the Constitution which authorizes the Senate to expel a Member, and therefore can only be taken by a two-thirds vote.

I do not attach any importance to the contention that the Senator has been sitting here for the last year, having been sworn without prejudice. That is a procedure which I myself would never agree to again. I think that if a man is charged with something which should exclude him from the Senate, he should stand aside at the time he presents his credentials, but should be given an immediate trial, and the matter should not drag on for months and years, but should be decided immediately. So far as the proceedings we are now considering are concerned, it seems to me the matter should be decided on the merits of the question. In other words, if the kind of thing for which we are asked to exclude Senator LANGER is a matter which is a proper cause for exclusion, then it should be decided by a majority vote. If it is a proper matter for expulsion only, I think the decision should be by a two-thirds vote.

The resolution of the committee is based on the power given each House to judge of the qualifications of its own Members. In my opinion, the word "qualifications" as here used refers to the

qualifications contained in the Constitution itself and does not authorize the House to impose any qualifications it sees fit to impose. If the Senate can say that the absence of moral turpitude is a qualification, it can impose qualifications based on the morals, the religion or lack of religion, or the philosophical or political views of any person elected. This would be such a dangerous power that it certainly should not be implied unless entirely clear. The existence of such power would give to the majority of either House the ability to exclude those who disagreed with the opinions of the majority. Atheists, perhaps Communists, might be excluded today, Socialists tomorrow, and Republicans or Democrats in good time. It may be said that this is a fantastic possibility, but it is a possibility which was foreseen by the founders of the Constitution.

More and more the Federal Government and its various branches are coming to a position where they feel that they can tell the States exactly what they shall do, that they have a right to overturn the opinions of the local communities, and more and more the power claimed, to exclude one by a majority vote for elements of character, is a power which is likely to be exercised today than when the Constitution was adopted.

It is my belief that section 5 of article I was only intended to make each House the final judge of whether a man was properly elected, and whether he met the qualifications prescribed by the Constitution itself. The question was debated in the Constitutional Convention. The first draft of the Constitution, as has been pointed out by the Senator from Utah [Mr. MURDOCK] contained this additional section:

The Legislature of the United States shall have authority to establish such uniform qualifications of the Members of each House, with regard to property, as to the said Legislature shall seem expedient.

That was stricken out. It seems fairly obvious that the fact that it was proposed shows that the founders did not believe that Congress had any such power, except when it was expressly provided in the Constitution, that the word "qualifications" meant qualifications prescribed by the Constitution.

Madison opposed that proposal, and I suppose Madison is as valuable an interpreter of the Constitution as anyone in the history of the United States. He opposed the proposal to give this authority, because he said it vested—

an improper and dangerous power in the legislature. The qualifications of elector and elected were fundamental articles in a republican government and ought to be fixed by the Constitution. If the legislature could regulate those of either, it can by degrees subvert the Constitution. A republic may be converted into an aristocracy or oligarchy as well by limiting the number capable of being elected as the number authorized to elect. In all cases where the representatives of the people will have a personal interest distinct from that of their constituents there was the same reason for being jealous of them as there was for relying upon them with full confidence when they had a common interest. This was one of the former cases.

Mr. Madison continued:

The British Parliament possessed the power of regulating the qualifications both of the

electors and the elected, and the abuse they had made of it was a lesson worthy of our attention. They had made changes in both cases subservient to their own views of political or religious parties.

Of course, there were religious qualifications prescribed by the English Parliament. The Wilkes case, I think, is one which has been relied on, in which they went far beyond anything the founders of our Constitution would have approved.

As a result of Mr. Madison's objection, this article giving the Congress power to prescribe qualifications was eliminated. Surely it must follow that the Convention did not intend to confer indirectly and in individual cases the right which they refused to grant in general terms. Mr. Madison evidently felt that the qualifications stated in the Constitution were exclusive.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BROWN. The other day, when the question dealt with in the argument which is now being made by the Senator from Ohio, was under consideration, I called attention to the fact that in the entire history of the United States Congress there has never been so far as I was able to recall, an attempt to set up the qualifications of a Senator or Representative by statutory action on the part of Congress. I call attention to the fact that the only time we ever did attempt to make a change was when the fourteenth amendment was submitted to the people of the United States. In that amendment a new qualification was set up; that is, that no person could be a Senator or a Representative who, having previously taken the oath as a Senator or Representative, thereafter participated in insurrection against the United States. That was not done by statute. Congress in 1866 evidently concluded that the only way it could be done was by constitutional amendment. I think that strongly supports the position which the Senator from Ohio is now taking.

Mr. TAFT. I agree entirely with the Senator from Michigan. It seems to me that the fact that the Congress felt a constitutional amendment was necessary showed that they thought they could not do it themselves; that not only could they not do it by law but could not do it in an individual case where a man had been a traitor to his country, which certainly would have been a cause for expulsion. They felt an amendment was necessary in such a case to exclude him.

Mr. BROWN. Certainly the temper of the Senate and the House at that time, immediately after the Civil War in 1866, would have been such that they easily could have passed such legislation if they deemed they had the constitutional right to do so, but they did not do so. They felt that a constitutional amendment was necessary to change the qualifications of Senators and Representatives.

Mr. TAFT. Mr. President, I think the Senator's argument is very effective.

The qualifications of Senators are prescribed in negative terms, and that fact has been referred to. Personally, I see no difference whatever between the stating of these qualifications in negative

terms and in affirmative terms. I do not see that either of them are any more or any less exclusive than the other, and I attach no importance to the change that was made by the committee on style. I do not believe it was intended to effect any change in the actual substance of the Constitution. I do not think it has a substantial bearing here.

The qualification section in the first draft of the Constitution was stated affirmatively as follows:

Every Member of the Senate shall be of the age of 30 years at least, shall have been a citizen of the United States for at least 9 years before his election, and shall be at the time of his election a resident of the State in which he shall be chosen.

This language was changed by the committee on style to the negative form in which it now appears, and it is said that the negative form is not so exclusive as the affirmative form. Frankly, I can see no difference between them. To me they mean exactly the same, and the committee on style was simply changing the style without any intention of changing the substance. In fact, they had no power to change the substance. It is merely a change of phraseology.

The matter is discussed in the Federalist several times, and that is clear evidence of the views of Mr. Madison and Mr. Hamilton as to the meaning of the Constitution. The author of the Federalist, No. 52, says:

The qualifications of the elected, being less carefully and properly defined by the State constitutions, and being at the same time more susceptible of uniformity, have been very properly considered and regulated by the convention. A Representative of the United States must be of the age of 25 years; must have been 7 years a citizen of the United States; must at the time of his election be an inhabitant of the State he is to represent, and during the time of his service must be in no office in the United States. Under these reasonable limitations the door of this part of the Federal Government is open to merit of every description, whether native or adoptive, whether young or old, and without regard to poverty or wealth, or to any particular profession of religious faith.

There is no suggestion whatever that any other qualifications can be imposed. In fact, in No. 57 the author says:

Who are to be the objects of popular choice? Every citizen whose merit may recommend him to the esteem and confidence of the country. No qualification of wealth, of birth, of religious faith, or of civil professions is permitted to fetter the judgment or disappoint the inclination of the people.

It apparently had been argued that the poor might be excluded from Congress, but Alexander Hamilton, conceded to be the author of No. 60, answers this in the following language:

The truth is that there is no method of securing to the rich the preference apprehended but by prescribing qualifications of property either for those who may elect or be elected. But this forms no part of the power to be conferred upon the National Government. Its authority would be expressly restricted to the regulation of the times, the places, the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon other occasions, are defined and fixed in the Constitution and are unalterable by the legislature.

This position is supported, in my opinion, by the great weight of authority.

Mr. President, it seems to me that the views of the founders of the Constitution ought to be final. There are many precedents. There are some precedents one way, and there are precedents other ways. I believe that legislative precedents have much less effect than judicial precedents for the simple reason that since Congress has the power to do things, it is very likely to do them whether it has any right to do them or not. I cannot give to legislative precedents the effect I give to the opinions and views of those who wrote the provisions of the Constitution.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. OVERTON. When the Senator rose a few minutes ago he yielded to me, and I offered an amendment to the pending Green amendment. My amendment provides:

That since it appears that WILLIAM LANGER has been duly elected a Senator of the United States from the State of North Dakota, and that the returns of such election and the credentials submitted to the Senate by the said WILLIAM LANGER are valid, and since it further appears that the said WILLIAM LANGER has attained the age of 30 years, has been 9 years a citizen of the United States, and was, when elected, an inhabitant of the State of North Dakota, the said WILLIAM LANGER cannot, by majority vote, be excluded from, or deprived of, a seat in the Senate of the United States.

If I correctly follow the able argument being made by the Senator from Ohio, he entertains the same view—that is, that when a Senator has been duly elected and meets the qualifications described by the Constitution, he cannot be excluded from his seat by a mere majority vote.

Mr. TAFT. Yes; I agree entirely with the Senator's amendment on that point. I have not read all its terms.

Mr. OVERTON. I understand that; but the Senator agrees with the principle of my amendment?

Mr. TAFT. I do entirely.

Mr. OVERTON. Of course, if such an amendment were adopted, then it would still leave with the Senate the power of expulsion, and a resolution could be submitted providing for the expulsion of Senator LANGER.

Mr. TAFT. I believe the Senate can expel any Member, and I believe it could even expel him for past offenses, but on the question of expulsion, I think he can only be expelled by a two-thirds vote.

Mr. OVERTON. I agree with the Senator. I think the authority to maintain the honor and dignity of the Senate is contained in the power of expulsion, and does require a two-thirds vote, and I think very properly requires it.

Mr. TAFT. Mr. President, I disagree completely with the first resolution proposed by the committee. As I read this resolution, it takes the position that the provision for expulsion requiring a two-thirds vote can only be used for "disorderly behavior during membership in the Senate." There is certainly nothing in the language of the Constitution to justify such a conclusion. I see the committee itself has offered a substitute. No

limitation whatever is expressly stated on the power of either House to expel a Member, except that two-thirds of the other Members must concur. Simply because this power is contained in the same sentence with authority to determine the rules of proceedings and the punishment of Members for disorderly behavior, seems to me no justification whatever for confining the power of expulsion.

The committee's own report does not support the suggestion that expulsion can only be for disorderly conduct. On pages 5, 6, and 7, Mr. Justice Story is cited to the effect that expulsion may be inflicted for criminal conduct committed in any place, and his view is supported by the early cases of William Blount and John Smith, charged with being parties to Aaron Burr's treason. They certainly were not guilty of disorderly behavior in the Senate. I believe that a Senator may be expelled, but not excluded, for moral turpitude, or treason, or even for views like communism, if they involve a belief in the overthrow of the Government by force, but only if the case is clear beyond doubt.

Mr. Story is inclined to the view that expulsion cannot take place for a crime committed before the Senator is inducted into office, and there is a good deal of language to this effect to be found in various cases. I myself cannot understand why there should be any such limitation. I suggest that many of those who have said that expulsion could not be inflicted for crimes committed prior to a Senator's term have really believed that neither expulsion nor exclusion could be inflicted for past crime. If Tom Mooney, for instance, had been elected to the Senate after his release from prison, I think I should have voted to seat him.

Whether a Communist should be excluded or not, certainly a man should not be excluded because he was once a Communist. Even in the present case it appears to me that the committee is not attempting to exclude Mr. LANGER because of his alleged past crimes, but because of the alleged moral turpitude now existing as revealed by those past crimes. So in the Smoot case, to which I shall refer later, the disqualification was sought on the ground of the Senator's membership in the Mormon Church, continuing after he took his seat.

My conclusion is that the Senate's power to expel is unlimited, except that it must be based on a two-thirds vote, and must be exercised with the greatest restraint. I shall state the reasons for that. It can be exercised in the case of moral turpitude or any other derogatory characteristics, certainly if the condition continues into the Senator's term. But the very fact that a two-thirds vote is required is a warning that this power should be exercised only when the case is clear beyond the shadow of a doubt.

In the Constitutional Convention Mr. Madison insisted on the danger of this power. I quote from the reports of the convention:

Mr. Madison observed that the right of expulsion (art. VI, sec. 6) was too important to be exercised by a bare majority of a

quorum; and in emergencies of faction might be dangerously abused. He moved that "with the concurrence of two-thirds" might be inserted between may and expel.

Mr. Randolph and Mr. Mason approved the idea.

By a vote of all but one State, the requirement of a majority was changed to two-thirds.

The result of the committee's position is an extraordinary one. If a man commits a crime after being inducted into the Senate, a crime of which the facts are easy to discover and to judge, he can be expelled only by a two-thirds vote. If he committed a crime 10 years before his induction, and the facts are clouded in uncertainty and contradiction, as in this case, he can be excluded by a majority vote. Certainly the wise men who drafted the Constitution had no such result in mind.

PRECEDENTS

It is true that there are a few precedents for excluding a man on account of past crime by a majority vote, but there has always been a conflict of opinion, and the reasoning which requires a two-thirds vote for expulsion seems to me very much sounder. In the cases I have read there was hardly ever action the other way without dissent.

One of the cases relied on was that of Philip F. Thomas, of Maryland, who was excluded in 1868 on the ground of disloyalty. The principal advocate of that course was Senator Sumner, of Massachusetts; and his speech shows the bitter feeling which existed during the reconstruction period, and at least suggests that the decision was the result of passion and prejudice. Senator Sumner's argument was that loyalty to the Government of which one is about to become a member is a necessary and implied qualification. His entire argument is based upon that proposition, and would not apply to moral turpitude or any other quality.

The case of B. F. Whittemore, in the House of Representatives, was based on a crime committed during one term, which resulted in Whittemore's resignation. He resigned to avoid trial; and when he was reelected he was excluded because the House thought he was trying to avoid the penalty of a crime committed during his first term in the House. The case was not thoroughly considered by anyone, and seems to have relied largely on the Wilkes case in England. But the Wilkes case was no precedent, because the English Parliament has always been a law unto itself; and the makers of our Constitution attempted deliberately to change that condition.

The principal reliance—and I think the only really substantial authority—for the committee's argument is the Roberts case. I am convinced that anyone who reads the reports and the debates in that case will be satisfied that the minority opinion is very much better argued and very much stronger. Roberts was a polygamist. The House was determined to be rid of him, and the minds of Members were not open to consider the constitutional questions involved.

On the other hand, there is plenty of authority the other way, besides that of

the founders of the Constitution which I have already cited. The most similar case—in fact, a parallel case—is that of Reed Smoot. He was accused of being a member of the Mormon Church, and apparently admitting the authority of that church to be supreme over the authority of the United States Government. He, himself, of course, was not a polygamist. That condition existed before he presented his credentials. It continued after he presented his credentials.

He was sworn in without prejudice, just as Senator LANGER was sworn in without prejudice. The case—as in this case—continued for some 2 years, while the investigation went on and the committee acted. In other words, the case seems to be parallel to that claimed to exist here, for the condition of moral turpitude of which the committee accuses Mr. LANGER existed before he presented his credentials and is alleged to continue today. The Committee on Privileges and Elections in the Smoot case recommended the exclusion of Mr. Smoot by a majority vote, as it has recommended in this case with respect to Mr. LANGER. The Senate decided, after debate, that the proper procedure was to expel him and not to exclude him, and so the resolution was amended to provide for a two-thirds vote. I know of no other basis for such a decision. The Senate then refused to expel Mr. Smoot on the facts found to exist. The action of the Senate in the Smoot case would require the Senate to amend the present resolution to require a two-thirds vote.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. AUSTIN. I merely wished to have the Senator read the resolution and see if it called for expulsion.

Mr. TAFT. No; the Senate debated that question and turned down the resolution for expulsion and then inserted in the resolution a provision requiring a two-thirds vote. By what possible logic could it insert a provision in the resolution requiring a two-thirds vote except on the ground that expulsion was the proper remedy?

Mr. AUSTIN. My answer is that there was no logic in it.

Mr. TAFT. Of course, I have been maintaining that there was no logic in the precedents cited by the Senator from Vermont, so I have no objection to his feeling that there is no logic in the precedents cited by me; but they are precedents just the same. In that case the Senate decided that a two-thirds vote was required, which, it seems to me, could only be on the ground that expulsion was the proper remedy.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. LUCAS. Is it not a fact that in the Reed Smoot case the provision for a two-thirds vote was added to the exclusion resolution?

Mr. TAFT. No. I think it was added to a resolution, but I do not think the word "exclusion" was used in the resolution after it was amended.

Mr. LUCAS. The original resolution reported by the committee was in the

same form as the second part of the pending resolution, which simply states:

Resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

The resolution was based strictly on exclusion. The point I am making is that ultimately the Hopkins amendment, which added the provision for a two-thirds vote, was more or less of a legislative monstrosity, because it added an expulsion proposal to what seems to me to have been purely an exclusion resolution.

Mr. TAFT. However, the resolution providing for a two-thirds vote was not an exclusion resolution. It did not say it was. It was simply a resolution that he was not entitled to a seat. A two-thirds vote was required to make that declaration. The only possible interpretation is that the Senate felt that it had to expel or not act at all. As a matter of fact, that was the principal subject of debate in the Senate.

I also call attention to the case of Benjamin Stark, a Senator from the State of Oregon, who presented his credentials in 1862 and was accused of disloyalty. The committee found that this disloyalty had existed before Mr. Stark was elected. Nevertheless, the Senate considered only a resolution to expel, which was finally defeated on the facts of the case.

The argument which I have made was most completely and soundly presented in the Smoot case by Senator Philander C. Knox, of Pennsylvania. I have not improved, and I do not want to improve, on the argument made by him in that case, to the effect that exclusion could not be supported except on the ground of lack of qualifications expressly stated in the Constitution. I think his authority is most effective. He had been Attorney General of the United States under President Theodore Roosevelt. At that time he was a United States Senator. He was subsequently Secretary of State for 4 years; and following that was again elected to the Senate. In my opinion he was one of the best constitutional lawyers we have seen, at least since 1900.

It is my view that many of those who have said that a Senator should not be expelled for crime committed before his election have taken that position only because they believe that no action whatever should be taken for past crime in any case. Every argument which can be used against expulsion for past crime is certainly a valid argument against exclusion for past crime.

Certainly if a man has changed his views, or has changed the position in which he was, the Senate should not go back into past history. The Senate should act only if his present character is affected. That is the only ground I can see on which action could be taken. The committee itself admits it. If it is the present character of a man which governs, then the case is a proper case for expulsion. That certainly seems to me to exclude the necessity for any exclusion resolution or any need to argue that the power exists.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. AUSTIN. I presume the Senator would be glad to discuss a part of the record, in the Smoot case. Robert W. Taylor conducted the presentation of the case against Mr. Smoot. Among other things, he said:

In the present case the power of expulsion could be invoked, because the claim is made that the status of Senator Smoot, his relation to this law-defying hierarchy, his own attitude toward law, the view that he takes of his capacity to receive revelations from Almighty God, all indicate a present status that, if necessary, brings it within the power of the Senate to expel.

That was a case in which the characteristic of an act or a condition existed during the term of membership, and fell directly within the language of the Constitution providing for expulsion.

Mr. TAFT. However, certainly the committee is not going to exclude someone because 10 years ago he was guilty of moral turpitude, if since that time he "got religion," let us say. I cannot see any basis whatever for either expulsion or exclusion, as a matter of fact, for past crime in and of itself unless there is some present, existing condition, and I think that is what people mean when they refuse to expel for past crime. I think the Smoot case shows clearly that they thought they could expel for a condition which existed before, and continued into the time of the Senator's service.

Mr. AUSTIN. The last remark of the Senator does correspond to the subject of my interrogatory. What he said before did not.

Mr. TAFT. Mr. President, my conclusion is that, under the circumstances alleged in the present case, the Senate has power only to expel Mr. LANGER, but it has such power only by a two-thirds vote. I believe that the first section of the committee resolution should be rejected, and the second section amended to require a two-thirds vote before action is finally taken.

In considering the question of expulsion, action should be taken only in the clearest possible case. I do not say that the Senate should not in some cases expel for conditions revealed by past crimes, but I do say that it is a dangerous power. It may be used by majorities to exclude minorities from participation in the Government; it may be used to defeat the very freedoms which a democratic form of government was intended to assure.

Perhaps the most justifiable use of the power would be when no other remedy could be found to secure a deserved punishment. Thus, if a Senator had complete control of the machinery of justice in his own State, the Senate should be more inclined to act, but in this case a political opponent of Mr. LANGER is now Governor. Two of the charges against Mr. LANGER are charges of bribery during his last term as Governor. If they are charges of bribery they should be prosecuted in the courts of North Dakota, because in the courts a much fairer trial can be had than can ever be conducted by a legislative body, even by the Senate of the United States. I feel very strongly that Congress should not set

itself up to try a man for past crime or moral character unless it is the only possible method of procedure. Legislative justice is the poorest kind of justice.

I should like to read what Dean Roscoe Pound, formerly of the Harvard Law School, and, I think, the greatest student of jurisprudence in the world today, has to say about legislative justice and the necessity of avoiding a legislative trial of any kind, if it can possibly be done.

He says—referring to examples of legislative justice:

Examples of legislative justice may be found in the Greek trials before popular assemblies, in the Roman capital trials before the people and appeals to the people in criminal causes, in the Germanic administration of justice by the assemblies of freemen, in the judicial power of the English Parliament, in the power of the French Senate to "pass judgment upon the President of the Republic and the ministers and to take cognizance of attacks upon the security of the state," in the judicial power of the German Bundesrath, in the exercise of judicial power by American colonial legislatures and to some extent by State legislatures after the Revolution, in legislative impeachments, and in the disposition of claims against the State in most of our Commonwealths today. Some of these instances are of no great value for our purposes, because they are taken from primitive societies in which all justice was crude. But for the most part they are modern, or relatively modern, and enable us to determine with assurance the characteristics of legislative justice. Examining the actual operation of legislative justice in the several cases named, it may be said without hesitation that in action it exhibits all the bad features of justice without law.

In the first place, legislative justice is unequal, uncertain, and capricious. Bills of attainder, even in modern times, were too often merely legislative lynchings, and bills of pains and penalties, of which there were many examples during and immediately after the Revolution, were enacted capriciously, were procured on grounds of ill will in relatively trivial cases as well as in the grave cases involving danger to the Commonwealth for which they were supposed to be reserved, and became deservedly odious. In Rhode Island, we are told, legislative divorces were sought and granted in cases that were "too flimsy or too whimsical for judicial treatment."

Again—

In the second place—

legislative justice in its relatively short history in this country and in the relatively small number of cases in which it was exercised showed the influence of personal solicitation, lobbying, and even corruption far beyond anything which even the most bitter opponent of our judicial system has charged against the courts in the course of a long history and after disposition of a huge volume of litigation.

Thirdly, legislative justice has always proved highly susceptible to the influence of passion and prejudice. This was very marked in the Greek popular courts and was, indeed, so much a matter of course that rhetoricians taught the principles of appeals to the passion and prejudice of the tribunal and considered the cases where such appeals were expedient.

This feature of legislative justice was one of the chief causes of the odium which attached to acts of attainder and bills of pains and penalties at the end of the eighteenth century. It is equally marked in legislative impeachments.

Closely related to the foregoing characteristic of legislative justice is a fourth, namely, the preponderance of purely partisan or political motives as grounds of decision. This is a conspicuous feature of legislative deter-

mination and adjustment of claims against the state. It is conspicuous also in legislative impeachments. It was notorious in the appellate jurisdiction of the House of Lords, until the settled practice that only law lords should vote turned the judicial side of that body into an ordinary court of justice. It furnished one of the chief reasons for the abolition of the appellate jurisdiction of the senate in New York in 1846.

Finally, legislative justice has been disfigured very generally by the practice of participation in argument and decision by many who had not heard all the evidence, and participation in the decision by many who had not heard all the arguments. This was notorious when lay peers passed upon causes in the House of Lords, and is often conspicuous in analogous cases of impeachments and legislative investigations. Such a practice is wholly unknown in judicial justice, nor would the public tolerate it in judicial tribunals.

Of course, the pending case exhibits a number of those faults. The Senator from Illinois, in making his opening statement, said that of course the Senate was not bound by any rules of evidence. Hearsay evidence was taken—evidence was taken without opportunity to cross-examine. I do not blame the committee, I merely say that is part of legislative procedure. Documents were put in the record without the slightest chance to determine their validity or to determine the facts regarding which they purported to speak. "Everything goes" in a legislative trial.

In many instances there has been no cross-examination, I am told; and unless the committee is very unlike other committees of the Senate, I think it is certain that many members of the committee were absent at practically all of the hearings held by the committee. They participate, as Dean Pound said in the decision, without having heard all the evidence. Certainly no one can claim that a majority of the Senate has been present at any time during the trial of Senator LINGER. The RECORD shows a quorum from time to time, but the quorum is merely a temporary quorum. After all, our way is not the way of a court, and no legislative body can act as a court can act.

The conclusion to which all of this leads us is that we should avoid such trials if we possibly can. If the facts are clear, if convictions have been obtained, if the evidence can simply be analyzed and passed upon, the danger is not so great. However, certainly I do not think that the Senate should ever go back, as the committee went back, and go through the whole record of a man's past life, act as an investigator and a prosecutor, and dig up the facts; and certainly it seems to me rather extraordinary that, if we did undertake a trial, there should be anything in the record or in the reports except what is contained in the green book. I know that the Senate's legislative procedures are peculiar, but personally I do not think that that kind of procedure should be tolerated.

In conclusion, I can only state that I believe the Senate should be exceedingly loath to expel any man on the ground of moral character as exhibited by alleged past criminal acts. I do not believe the Senate should undertake to investigate

the complicated facts of a dozen alleged crimes spread over the last 20 years.

I think I have read the whole of the record contained in the green book. I have not read the rest of the affidavits and testimony, which has never been printed; but I have read the green book; and there are still many facts which I cannot judge, many contradictions which it is impossible to reconcile. A judge who passed on this kind of a record would merely come back and say, "Give this gentleman a new trial; I want to get all the facts on the case before I pass on it at all."

It seems to me that the Senate should not go back and undertake an elaborate trial on the facts; and I object to having to determine one way or the other the facts which are presented in the present record.

Some of the conclusions are not found in the record at all, but in a file of affidavits which has been available to the committee. In every case the committee's conclusions are questioned and disputed. In the record which I have read I do not find the evidence required in my opinion to expel from the Senate a man elected by the people of a sovereign State.

Mr. AUSTIN. Mr. President, before the Senator takes his seat, will he yield?

Mr. TAFT. I yield to the Senator from Vermont.

Mr. AUSTIN. I assume that if the Senator has made an inadvertent mistake he would like to have his attention called to it now; is that correct?

Mr. TAFT. I should be glad to have that done.

Mr. AUSTIN. I understood the Senator to rely upon the Blount case as a case illustrating the expulsion of a Member of the Senate for an act committed before his membership. Did I correctly understand the Senator in that connection?

Mr. TAFT. No; I did not refer to the Blount case in that connection. As a matter of fact, the Blount case and the Smith case I cited only to dispute the committee's resolution that we could expel only for disorderly conduct in the Senate. That is the way the committee resolution reads.

I said that in those cases there was no disorderly conduct. During their terms those two men were accused of acts which took place way west of the Allegheny Mountains—in connection with the Burr conspiracy, as I remember. So I did not purport to rely upon the Smith and Blount cases in the connection to which the Senator refers.

However, I cited the Stark case, in Oregon, as a case involving acts which had occurred before the man's term began.

Mr. AUSTIN. In order to keep the record straight, the Blount case was not connected with the Aaron Burr conspiracy, as I understood the Senator from Ohio to claim, but involved corrupt practices in connection with the administration of the Indian Department.

The Smith case arose during Smith's term of office. The letter on which he was expelled was dated during his term of office; and the Smith case, which was connected with the Burr conspiracy,

arose during the term and membership of the Senator expelled.

Mr. TAFT. The Senator is entirely correct; both the Blount and Smith cases involved crimes which occurred during the terms of office of the Senators. I did not cite them for the purpose of proving anything otherwise.

Mr. LUCAS. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. LUCAS. The very able Senator from Ohio has discussed the question of procedure and seriously objected to what has been done in connection with the investigation of the case against Senator LANGER. In order to keep the record straight, I should like to refresh the recollection of the Senator.

The senior Senator from Texas [Mr. CONNALLY], as chairman of the Committee on Privileges and Elections in the early history of this case, brought in a resolution—Senate Resolution 118—which was submitted to the Senate, and which was unanimously adopted. The resolution gave the committee and the investigators the authority to do what has been done in this particular case. I merely mention that in the hope that the Senator from Ohio will take his share of the responsibility for what was done in the way of investigation.

Mr. TAFT. I had no criticism to make of the committee; I did not claim that the committee did not have authority to do what it did. Of course, at the time the resolution was adopted we gave no consideration whatever to the question; we merely passed what the committee asked us to pass. Now that I have had time to examine the question, I think what we did was a mistake. I have whatever responsibility any Member of the Senate has who voted for the resolution.

I make no criticism of the committee. My criticism is of the attempt to conduct a trial for past crime in the Congress of the United States. I should like to read Dean Pound's conclusion. He says:

Moreover, administration of justice by large bodies of this sort, along with or in the intervals of political business, is necessarily cumbersome and expensive. In sum, legislative justice is uncertain, crude at its best, and capricious at its worst, cumbersome and expensive, with no corresponding advantages. Hence from the Twelve Tables to modern constitutions men have agreed in prohibiting it. The provisions of modern constitutions in this respect represent more than the influence of eighteenth-century theory. They represent a universal experience of the ills involved in legislative justice.

We may have to perform the task of determining who shall be Members of the Senate, of passing on them at times, but certainly we should in all but the very clearest cases avoid the task of attempting to conduct here a legislative trial.

INCREASE IN THE DEBT LIMIT—CONFERENCE REPORT

Mr. GEORGE submitted a conference report, which was ordered to lie on the table, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6691) to increase the debt limit of the United

States, to further amend the Second Liberty Bond Act, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

WALTER F. GEORGE,
HARRY F. BYRD,

Managers on the part of the Senate.

R. L. DOUGHTON,
THOS. H. CULLEN,
JERE COOPER,
FRANK CROWTHER,
HAROLD KNUTSON,

Managers on the part of the House.

EXECUTIVE SESSION

Mr. ELLENDER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. ROSIER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of several postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Frank J. Duffy to be collector of customs for customs collection district No. 26.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTER

The legislative clerk read the nomination of Albert A. Stebbins to be postmaster at Garber, Okla.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The legislative clerk read the nomination of John Warren O'Donnell to be assistant surgeon.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Stephen John Lange to be assistant surgeon.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Fred L. Wommack to be assistant surgeon.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST GUARD

The legislative clerk proceeded to read sundry nominations in the Coast Guard.

Mr. ELLENDER. I ask unanimous consent that the nominations in the Coast Guard be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Coast Guard are confirmed en bloc.

COAST AND GEODETIC SURVEY

The legislative clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. ELLENDER. I ask that the nominations in the Coast and Geodetic Survey be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Coast and Geodetic Survey are confirmed en bloc. That concludes the calendar.

Mr. ELLENDER. I ask that the President be immediately notified of all confirmations of yesterday and today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of all confirmations.

PROTOCOL ON UNIFORMITY OF POWERS OF ATTORNEY

Mr. CONNALLY. Mr. President, there is on the calendar a protocol, Executive A, Seventy-seventh Congress, second session, which I should like to have ratified at this time.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the protocol, Executive A, Seventy-seventh Congress, second session, a protocol on uniformity of powers of attorney, which are to be utilized abroad, which was read the second time, as follows:

THE ENGLISH TEXT OF PROTOCOL ON UNIFORMITY OF POWERS OF ATTORNEY WHICH ARE TO BE UTILIZED ABROAD

The Seventh International Conference of American States approved the following resolution (No. XLVIII):

"The Seventh International Conference of American States, resolves:

"1. That the Governing Board of the Pan American Union shall appoint a Commission of five experts, to draft a project for simplification and uniformity of powers of attorney, and the juridical personality of foreign companies, if such uniformity is possible. If such uniformity is not possible, the Commission shall suggest the most adequate procedure for reducing to a minimum both the number of different systems of legislation on these subjects and the reservations made to the several conventions.

"2. The report should be issued in 1934, and be given to the Governing Board of the Pan American Union in order that it may submit it to the consideration of all the Governments, members of the Pan American Union, for the purposes indicated."

The committee of experts appointed by the Governing Board of the Pan American Union pursuant to the above resolution prepared a draft of uniform legislation governing powers of attorney to be utilized abroad, which was submitted by the Governing Board to the governments, members of the Pan American Union, and revised in accordance with the observations of the said governments.

A number of the governments of the American Republics have indicated that they are prepared to subscribe to the principles of the said draft, and to give them conventional expression, in the following terms:

ARTICLE I

Powers of attorney granted in the countries, comprising the Pan American Union, for utilization abroad, shall conform to the following rules:

1. If the power of attorney is executed by or on behalf of a natural person, the attesting official (notary, registrar, clerk of court, judge or any other official upon whom the law of the respective country confers such functions) shall certify from his own knowledge to the identity of the appearing party and to his legal capacity to execute the instrument.

2. If the power of attorney is executed in the name of a third person, or if it is delegated or if there is a substitution by the agent, the attesting official, in addition to certifying, in regard to the representative who executes the power of attorney, or delegates or makes a substitution, to the requirements mentioned in the foregoing paragraph, shall also certify that such representative has in fact the authority to represent the person in whose name he appears, and that this representation is legal according to such authentic documents as for this purpose are exhibited to said attesting official and which the latter shall mention specifically, giving their dates, and their origin or source.

3. If the power of attorney is executed in the name of a juridical person, in addition to the certification referred to in the foregoing paragraphs, the attesting official shall certify, with respect to the juridical person in whose name the power is executed, to its due organization, its home office, its present legal existence, and that the purposes for which the instrument is granted are within the scope of the objects or activities of the juridical person; which declarations shall be based on the documents which for that purpose are presented to the official, such as the instrument of organization, bylaws, resolutions of the board of directors or other governing body, and such other legal documents as shall substantiate the authority conferred. The attesting official shall specifically mention these documents, giving their dates and their origin.

ARTICLE II

The certification made by the attesting official pursuant to the provisions of the foregoing article, shall not be impugned except by proof to the contrary produced by the person challenging its accuracy.

For this purpose, it shall not be necessary to allege falsity of the document if the objection is founded only on an erroneous legal construction or interpretation made by the official in his certification.

ARTICLE III

It shall be unnecessary for the grantee of a power of attorney to signify therein his acceptance of the mandate; such acceptance being conclusively presumed by the grantee's acting under the power.

ARTICLE IV

Special powers of attorney to authorize acts of ownership granted in any of the countries of the Pan American Union, for use in another member country, must specify in concrete terms the nature of the powers conferred, to enable the grantee to exercise all the rights necessary for the proper execution of the power with respect to property as well as to the taking of all necessary steps before the tribunals or administrative authorities in defense thereof.

General powers of attorney for the administration of property shall be sufficient, if expressly granted with that general character, to empower the grantee to consummate all manner of administrative acts, including the prosecution and defense of law suits and administrative and judicial proceedings, in connection with the administration of the property.

General powers of attorney for lawsuits, collections or administrative or judicial proceedings, when so worded as to indicate that they confer all general powers and all such special powers as, according to the law, ordinarily require a special clause, shall be

deemed to be granted without any limitation or restriction whatever.

The provisions of this article shall have the character of a special rule which shall prevail over such general rules to the contrary as the legislation of the respective country may establish.

ARTICLE V

Powers of attorney granted in any of the member countries of the Pan American Union, which are executed in conformity with the rules of this Protocol, shall be given full faith and credit, provided, however, that they are legalized in accordance with the special rules governing legalization.

ARTICLE VI

Powers of attorney granted abroad and in a foreign language may be translated into the language of the country of their destination and the translation incorporated as part of the text of the instrument thereof. In such case, the translation, so authorized by the grantor, shall be deemed accurate in every particular. The translation of the power of attorney may also be made in the country where the power is to be utilized, in accordance with the local usage or pertinent laws of such a country.

ARTICLE VII

Powers granted in a foreign country do not require as a prerequisite their registration or protocolization thereof in designated offices. However, this rule will not pre-ail when the registration or protocolization of such instruments is required by the law as a special formality in specific cases.

ARTICLE VIII

Any person who may, pursuant to the pertinent legislation, intervene or become a party in a judicial or administrative proceeding for the defense of his interests, may be represented by a volunteer, on condition, however, that such representative shall furnish the necessary legal authority in writing, or that, pending the due substantiation of his authority, such representative shall furnish bond, at the discretion of the competent tribunal or administrative authority, to respond for the costs or damages which his action may occasion.

ARTICLE IX

In the case of powers of attorney, executed in any of the countries of the Pan American Union in accordance with the foregoing provisions, to be utilized in any other member country of the Union, notaries duly commissioned as such under the laws of their respective countries shall be deemed to have authority to exercise functions and powers equivalent to those accorded to native notaries by the laws and regulations of (name of country), without prejudice, however, to the necessity of protocolization of the instrument in the cases referred to in article VII.

ARTICLE X

What has been said in the foregoing articles with respect to notaries, shall apply with equal force to the authorities or officials that exercise notarial functions under the laws of their respective countries.

ARTICLE XI

The original of the present Protocol in Spanish, Portuguese, English and French, under the present date shall be deposited in the Pan American Union and opened for signature by the States, members of the Pan American Union.

ARTICLE XII

The present Protocol is operative as respects each High Contracting Party on the date of signature by such Party. It shall be open for signature on behalf of any of the States, members of the Pan American Union, and shall remain operative indefinitely, but any Party may terminate its own obligations hereunder three months after it has given to

the Pan American Union notice of such intention.

Notwithstanding the stipulations of the foregoing paragraph any State desiring to do so may sign the present Protocol *Ad referendum*, which Protocol in this case, shall not take effect, with respect to such State, until after the deposit of the instrument of ratification, in conformity with its constitutional procedure.

ARTICLE XIII

Any State desiring to approve the present Protocol with modifications may indicate, when signing the Protocol, the form in which the instrument will be given effect within its territory.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, having deposited their full powers found to be in due and proper form, sign this Protocol on behalf of their respective governments, and affix thereto their seals on the dates appearing opposite their signatures.

The foregoing document has been deposited on this date with the Pan American Union and opened to the signature of the States, members of the Pan American Union, in accordance with the resolution of January 3, 1940, of the Governing Board of the Pan American Union.

WASHINGTON, D. C., February 17, 1940.

(S) L. S. ROWE,

Director General of Pan American Union.

[Translation]

FOR VENEZUELA:

The Representative of Venezuela signs the present Protocol with the following modification of section 1 of the first article:

"1. If the power of attorney is executed by or on behalf of a natural person, the attesting official (notary, registrar, clerk of court, judge or any other official upon whom the law of the respective country confers such function) shall certify that he knows the person executing the instrument and that he has the legal capacity to execute it, according to the documents he has produced."

(S) DIÓGENES ESCALANTE

February 20, 1940 [SEAL]

FOR PANAMA:

(S) JORGE E. BOYD *ad referendum*

April 10, 1940 [SEAL]

FOR EL SALVADOR:

(S) HÉCTOR DAVID CASTRO

ad referendum

May 21, 1940 [SEAL]

(The Salvadorean instrument of ratification was deposited with the Pan American Union on February 6, 1941. Contains the following "modifying reservations":

"(a) Article IX, as respects its application in El Salvador, shall be considered as reading as follows:

"Article IX. Powers of attorney executed in any of the countries of the Pan American Union in accordance with the foregoing provisions and in conformity with the laws of the country of origin to be utilized in any other country of the Union, shall be considered as having been executed before a competent notary of the country in which they may be utilized, without prejudice, however, to the necessity of protocolization of the instrument in the cases referred to in Article VII."

"(b) The reservation is made to Article VIII that unauthorized action by the attorney, as plaintiff or defendant, cannot be admitted in judicial or administrative matters for which Salvadorean laws require that representation be accredited by a special power of attorney.")

FOR COLOMBIA:

"The Plenipotentiary of Colombia signs the Protocol on the Legal Régime of Powers of Attorney *ad referendum* to approval by the National Congress, making the reservation that Colombian legislation set forth in Article 2590 of the Civil Code, provides that notaries

are responsible only for the form and not for the substance of the acts and contracts which they authenticate."

(S) GABRIEL TURBAY
May 25, 1940 [SEAL]

FOR NICARAGUA:

(S) LEÓN DE BAYLE *ad referendum*
May 27, 1940 [SEAL]

FOR BRAZIL:

(S) CARLOS MARTINS PEREIRA E SOUSA
September 6, 1940 [SEAL]

FOR BOLIVIA:

"The Plenipotentiary of Bolivia signs the present protocol with the following clarification of Article I, Section 2:

"For the correct application of Article I, Section 2, of the Protocol on Uniformity of the Legal Régime of Powers of Attorney in the territory of the Republic of Bolivia it is necessary that the notary or official charged with the authentication of documents insert in the Powers of Attorney which are executed by delegation or by substitution the integral text of the original Powers of Attorney and of all those documents which prove the legal capacity of the person conferring the Power of Attorney."

(S) LUIS GUACHALLA *ad referendum*
September 26, 1940 [SEAL]

FOR THE UNITED STATES OF AMERICA:

(S) CORDELL HULL *ad referendum*
October 3, 1941. [SEAL]

I hereby certify that the foregoing document is a true and faithful copy of the original, with the signatures affixed thereto up to the present date, of the Protocol on Uniformity of Powers of Attorney which are to be Utilized Abroad, deposited in the Pan American Union and opened for signature by the States, members of the Pan American Union, on February 17, 1940.

Washington, D. C., October 7, 1941.

[SEAL] PEDRO DE ALBA,
*Secretary of the Governing Board
of the Pan American Union.*

Mr. AUSTIN. Will not the Senator make a statement concerning the protocol?

Mr. CONNALLY. Mr. President, this is not a matter of very transcendent importance. It is a convention with Latin-American nations relating to powers of attorney to be utilized in dealings between nationals of our Government and those of the signatory nations. The Committee on Foreign Relations reported the protocol unanimously, and the acting minority leader, the Senator from Vermont [Mr. AUSTIN], I understand, has no objection.

The PRESIDING OFFICER. The protocol is before the Senate and open to amendment. If there be no amendment to be proposed, the protocol will be reported to the Senate.

The protocol was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive A, Seventy-seventh Congress, second session, comprising a protocol on uniformity of powers of attorney which are to be utilized abroad, signed for the United States on October 3, 1941.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratifica-

tion is agreed to, and the protocol is ratified.

RECESS

Mr. ELLENDER. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 8 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 25, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 24 (legislative day of March 5), 1942:

COMMISSIONER OF IMMIGRATION AND NATURALIZATION

Earl G. Harrison, of Pennsylvania, to be Commissioner of Immigration and Naturalization, United States Department of Justice, vice James L. Houghteling, resigned.

REGISTERS OF THE LAND OFFICE

Thomas F. Corbally, of Montana, to be register of the land office at Great Falls, Mont. Reappointment.

William G. Johnson, of Wyoming, to be register of the land office at Cheyenne, Wyo. Reappointment.

APPOINTMENT IN THE NAVY

Capt. Clifford E. Van Hook to be a rear admiral in the Navy for temporary service, to rank from the 28th day of November 1941.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Albert W. Darby, Florence, Ala., in place of A. W. Darby. Incumbent's commission expired December 16, 1941.

ARKANSAS

Lee Rea, Caraway, Ark., in place of Lee Rea. Incumbent's commission expired November 27, 1941.

Samuel K. Purdy, Carthage, Ark., in place of S. K. Purdy. Incumbent's commission expired November 27, 1941.

William E. Carpenter, Cave City, Ark., in place of W. E. Carpenter. Incumbent's commission expired February 2, 1942.

Clarence G. Cooper, Fouke, Ark., in place of C. G. Cooper. Incumbent's commission expired December 18, 1941.

Ralph T. Ferguson, Marshall, Ark., in place of W. S. Daniel, resigned.

James L. Willson, Moro, Ark., in place of J. L. Willson. Incumbent's commission expired August 23, 1941.

Samuel C. Scott, Wheatley, Ark., in place of S. C. Scott. Incumbent's commission expired November 27, 1941.

CALIFORNIA

Walter D. Cannon, Campo, Calif. Office became Presidential October 1, 1941.

Charles M. Rice, Hamilton City, Calif., in place of C. M. Rice. Incumbent's commission expired November 30, 1941.

Emelia S. Schutt, Lafayette, Calif., in place of E. S. Schutt. Incumbent's commission expired November 30, 1941.

Ernest Lavagnino, San Juan Bautista, Calif., in place of Anna McMichael, resigned.

Floyd M. Filson, Tennant, Calif., in place of F. M. Filson. Incumbent's commission expired November 30, 1941.

Benjamin H. Steeg, Twentynine Palms, Calif., in place of B. H. Steeg. Incumbent's commission expired December 23, 1941.

CONNECTICUT

Thomas P. Smith, Brooklyn, Conn., in place of T. P. Smith. Incumbent's commission expired December 1, 1941.

Samuel M. Bella, Centerbrook, Conn., in place of S. M. Bella. Incumbent's commission expires March 25, 1942.

FLORIDA

Thomas F. Connell, Weirsdale, Fla., in place of T. F. Connell. Incumbent's commission expired December 1, 1941.

GEORGIA

Homer Roy Cobb, Ball Ground, Ga., in place of H. R. Cobb. Incumbent's commission expired December 20, 1941.

Luther P. Goolsby, Carlton, Ga., in place of L. P. Goolsby. Incumbent's commission expired November 30, 1941.

Paul C. Sewell, Cave Spring, Ga., in place of P. C. Sewell. Incumbent's commission expired March 24, 1942.

Fannie M. Vaughn, Jeffersonville, Ga., in place of F. M. Vaughn. Incumbent's commission expired March 24, 1942.

Dewey G. Burnette, Rockmart, Ga., in place of D. G. Burnette. Incumbent's commission expired February 24, 1942.

Clarence B. Cooley, Sandersville, Ga., in place of C. B. Cooley. Incumbent's commission expired February 4, 1942.

Alice V. Ethridge, Sparks, Ga., in place of A. V. Ethridge. Incumbent's commission expired November 30, 1941.

Bertha L. Boyd, Union Point, Ga., in place of B. L. Boyd. Incumbent's commission expired March 24, 1942.

Robert B. Bryan, Wrightsville, Ga., in place of R. B. Bryan. Incumbent's commission expired March 24, 1942.

IDAHO

Matt H. Moshinsky, St. Maries, Idaho, in place of M. H. Donovan, resigned.

ILLINOIS

Melvin Manecke, Argenta, Ill., in place of Melvin Manecke. Incumbent's commission expired December 2, 1941.

Gerd Willms, Crescent City, Ill., in place of Gerd Willms. Incumbent's commission expired December 2, 1941.

Alice D. Condit, Elmhurst, Ill., in place of A. D. Condit. Incumbent's commission expired December 2, 1941.

Warthen K. Kimball, Gurnee, Ill., in place of W. K. Kimball. Incumbent's commission expired December 1, 1941.

Keith K. Angle, Hillview, Ill., in place of K. K. Angle. Incumbent's commission expired December 2, 1941.

Urban A. Tempel, Ivesdale, Ill., in place of U. A. Tempel. Incumbent's commission expired December 2, 1941.

Henry Dwyer, Ladd, Ill., in place of Henry Dwyer. Incumbent's commission expired June 19, 1941.

Virginia D. Wall, Nebo, Ill., in place of V. D. Wall. Incumbent's commission expires March 25, 1942.

Charles T. Gilbert, New Canton, Ill., in place of C. T. Gilbert. Incumbent's commission expired December 2, 1941.

Mollie E. Patterson, Waltonville, Ill., in place of M. E. Patterson. Incumbent's commission expired December 2, 1941.

Martha H. Prevost, West Union, Ill., in place of M. H. Prevost. Incumbent's commission expired December 2, 1941.

INDIANA

Marjorie I. Stevens, Cynthiana, Ind., in place of M. I. Stevens. Incumbent's commission expired December 6, 1941.

Jane Agnes Quinlan, Holy Cross, Ind., in place of J. A. Quinlan. Incumbent's commission expired December 6, 1941.

Theodore V. Koontz, Monticello, Ind., in place of A. R. Staggs, deceased.

IOWA

Ida D. McCauley, Lucas, Iowa, in place of I. D. McCauley. Incumbent's commission expired December 7, 1941.

Vivian A. Meredith, Norway, Iowa, in place of V. A. Meredith. Incumbent's commission expired December 7, 1941.

Ida E. Heffernen, Peosta, Iowa. Office became Presidential July 1, 1941.

Martin S. Copenhaver, Ralston, Iowa, in place of M. S. Copenhaver. Incumbent's commission expired December 7, 1941.

Oscar G. Sharp, Seymour, Iowa, in place of O. G. Sharp. Incumbent's commission expired December 23, 1941.

KANSAS

Clarence E. Yockey, Erie, Kans., in place of C. E. Yockey. Incumbent's commission expired December 10, 1941.

Elizabeth Brackman, Scranton, Kans., in place of Elizabeth Brackman. Incumbent's commission expired December 18, 1941.

KENTUCKY

Robert Bailey Huddleston, Fulton, Ky., in place of R. B. Huddleston. Incumbent's commission expired November 27, 1941.

Hugh A. Reynolds, Junction City, Ky. Office became Presidential July 1, 1941.

Walter R. Gullfolle, Mays Lick, Ky., in place of C. C. Rees. Incumbent's commission expired November 27, 1941.

LOUISIANA

Joseph Hugh Goldsby, Amite, La., in place of J. H. Goldsby. Incumbent's commission expired December 20, 1941.

Robert Lee Pettit, Baton Rouge, La., in place of R. L. Pettit. Incumbent's commission expired February 26, 1942.

Beckie D. Bradford, Tullos, La., in place of B. D. Bradford. Incumbent's commission expired December 7, 1941.

Bernice B. Lyons, Vinton, La., in place of S. A. Fairchild, retired.

MARYLAND

Cecil E. Trinkaus, Oella, Md., in place of C. E. Trinkaus. Incumbent's commission expired November 30, 1941.

MASSACHUSETTS

Joseph W. Gorman, Upton, Mass., in place of J. W. Gorman. Incumbent's commission expired December 16, 1941.

MICHIGAN

Melvin B. Mills, Benzonia, Mich., in place of R. W. Maddock, deceased.

Geraldine E. Fox, Falmouth, Mich. Office became Presidential July 1, 1941.

Mildred Irene Asher, Orchard Lake, Mich., in place of M. I. Asher. Incumbent's commission expired December 20, 1941.

William H. Riekl, Palmer, Mich., in place of W. H. Riekl. Incumbent's commission expired November 30, 1941.

MISSISSIPPI

Walter Darracott, Aberdeen, Miss., in place of Walter Darracott. Incumbent's commission expired November 27, 1941.

Bonnie H. Curd, Pace, Miss., in place of B. H. Curd. Incumbent's commission expired November 27, 1941.

Thelma Z. Landry, Waveland, Miss., in place of T. Z. Landry. Incumbent's commission expired November 27, 1941.

MISSOURI

Pearl E. Bussert, Wardell, Mo., in place of P. E. Bussert. Incumbent's commission expired December 21, 1941.

NEBRASKA

Edward L. Kimball, Butte, Nebr., in place of E. R. Johnson, removed.

NEVADA

Meryl J. Larson, Manhattan, Nev., in place of M. J. Larson. Incumbent's commission expired August 14, 1941.

Julia E. Whipple, Montello, Nev., in place of M. W. Craig, resigned.

NEW JERSEY

Ernest B. Helmrich, Hopatcong, N. J., in place of E. B. Helmrich. Incumbent's commission expired December 6, 1941.

Edith B. Brooks, Kingston, N. J., in place of E. B. Brooks. Incumbent's commission expired December 6, 1941.

Anthony J. Ciocci, New Providence, N. J. Office became Presidential July 1, 1941.

William J. Morris, Wyckoff, N. J., in place of W. J. Morris. Incumbent's commission expired August 21, 1941.

NEW MEXICO

Thomas M. Rivera, Hanover, N. Mex. Office became Presidential July 1, 1941.

Leon Panebouef, Vaughn, N. Mex., in place of Leon Panebouef. Incumbent's commission expired December 23, 1941.

NEW YORK

Eva Purcell, Barryville, N. Y., in place of Eva Purcell. Incumbent's commission expired February 5, 1942.

William Burns Kirk, De Witt, N. Y., in place of W. B. Kirk. Incumbent's commission expired November 30, 1941.

Agnes H. Brink, Endwell, N. Y., in place of A. H. Brink. Incumbent's commission expired November 30, 1941.

Ralph N. Schaack, Gowanda, N. Y., in place of W. E. Dorson, deceased.

Raymond H. LaClair, Huntington, N. Y., in place of R. H. LaClair. Incumbent's commission expired March 1, 1942.

Grace S. G. Davies, Lake Kushaqua, N. Y., in place of G. S. G. Davies. Incumbent's commission expired February 5, 1942.

Harold H. Sly, New Hampton, N. Y. Office became Presidential July 1, 1941.

Mary L. Doyle, Tannersville, N. Y., in place of J. F. Lackey, resigned.

Catherine J. McMahon, Wyandanch, N. Y., in place of C. J. McMahon. Incumbent's commission expired December 23, 1941.

NORTH CAROLINA

Colus W. Williams, Fallston, N. C. Office became Presidential July 1, 1941.

August D. Wessell, Hallstboro, N. C., in place of A. D. Wessell. Incumbent's commission expired December 15, 1941.

James R. Crowder, Peachland, N. C. Office became Presidential July 1, 1941.

NORTH DAKOTA

Robert H. Leavy, Granville, N. Dak., in place of M. A. Leavy, resigned.

Olaf L. Svidal, Starkweather, N. Dak., in place of O. L. Svidal. Incumbent's commission expired December 23, 1941.

OHIO

Cora M. Burns, Beloit, Ohio, in place of C. M. Burns. Incumbent's commission expired November 27, 1941.

Dora M. McGonagle, Junction City, Ohio, in place of D. H. McGonagle. Incumbent's commission expired December 20, 1941.

Walter W. Farra, Lewisburg, Ohio, in place of W. W. Farra. Incumbent's commission expired August 23, 1941.

Henry W. Myers, Luckey, Ohio, in place of H. W. Myers. Incumbent's commission expired November 27, 1941.

Marjorie M. Bankes, Malta, Ohio, in place of M. M. Bankes. Incumbent's commission expired February 24, 1942.

Harry E. Miller, New Concord, Ohio, in place of H. E. Miller. Incumbent's commission expired February 24, 1942.

George R. Daubenmire, Pleasantville, Ohio, in place of G. R. Daubenmire. Incumbent's commission expired November 27, 1941.

Ralph W. Detrick, Quincy, Ohio, in place of R. W. Detrick. Incumbent's commission expired November 27, 1941.

Albert E. Beardmore, Salem, Ohio, in place of A. E. Beardmore. Incumbent's commission expires March 25, 1942.

Winifred Hine, Tallmadge, Ohio, in place of Winifred Hine. Incumbent's commission expired November 27, 1941.

Algy R. Murphy, Troy, Ohio, in place of A. R. Murphy. Incumbent's commission expires April 1, 1942.

OKLAHOMA

Woodrow R. Chambers, Cardin, Okla., in place of C. M. Masters. Incumbent's commission expired December 10, 1941.

Grace E. Wandell, Coyle, Okla., in place of G. E. Wandell. Incumbent's commission expired April 1, 1941.

Vivian P. Waddill, Millburn, Okla., in place of V. P. Waddill. Incumbent's commission expired December 10, 1941.

PENNSYLVANIA

Orabel Rarick, Barnesville, Pa., in place of Orabel Rarick. Incumbent's commission expired December 9, 1941.

Hazel E. Hetrick, Beavertown, Pa., in place of H. E. Hetrick. Incumbent's commission expired December 9, 1941.

Margaret A. Helfrich, Bruin, Pa., in place of M. A. Helfrich. Incumbent's commission expired December 9, 1941.

Marlin W. Dissinger, Campbelltown, Pa. Office became Presidential July 1, 1941.

Loy W. Oligher, Clymer, Pa., in place of L. W. Oligher. Incumbent's commission expired December 21, 1941.

Daniel Warne Rankin, Dunbar, Pa., in place of D. W. Rankin. Incumbent's commission expired August 23, 1941.

Thomas R. Lawler, Jessup, Pa., in place of T. R. Lawler. Incumbent's commission expired December 9, 1941.

Howard E. Bixler, Manchester, Pa., in place of H. E. Bixler. Incumbent's commission expired December 9, 1941.

Joseph F. Gallagher, Olyphant, Pa., in place of E. F. Lawler. Incumbent's commission expired June 1, 1940.

James M. Gates, South Fork, Pa., in place of J. M. Gates. Incumbent's commission expired December 21, 1941.

Nellie M. Graham, Torrance, Pa., in place of N. M. Graham. Incumbent's commission expired May 7, 1941.

Sadie L. Brunner, Worcester, Pa., in place of S. L. Brunner. Incumbent's commission expired December 9, 1941.

PUERTO RICO

Jose G. de Iturrondo, Carolina, P. R., in place of J. G. de Iturrondo. Incumbent's commission expired December 1, 1941.

Francisca Rodriguez, Juana Diaz, P. R., in place of Francisca Rodriguez. Incumbent's commission expired December 1, 1941.

Monserate Figueroa, Lajas, P. R. Office became Presidential July 1, 1941.

SOUTH CAROLINA

Fore J. Watson, Kingstree, S. C., in place of F. J. Watson. Incumbent's commission expired February 4, 1942.

Gordon W. Morris, Society Hill, S. C., in place of G. W. Morris. Incumbent's commission expired December 7, 1941.

Mollie S. West, Tucapau, S. C., in place of M. S. West. Incumbent's commission expired December 7, 1941.

Lottie M. Vernon, Wellford, S. C., in place of L. M. Vernon. Incumbent's commission expired August 23, 1941.

Palmer A. Matthews, Winnsboro, S. C., in place of P. A. Matthews. Incumbent's commission expired February 26, 1942.

SOUTH DAKOTA

Glennie Flathers Whites, Iroquois, S. Dak., in place of G. F. Whites. Incumbent's commission expired December 23, 1941.

TENNESSEE

Hollis M. Caldwell, Lookout Mountain, Tenn., in place of H. M. Caldwell. Incumbent's commission expired February 24, 1942.

Roy B. King, Madison College, Tenn., in place of R. B. King. Incumbent's commission expired December 8, 1941.

TEXAS

Ramiro R. Gonzales, Benavides, Tex., in place of Servando Caballero, deceased.

George C. Lain, Kopperl, Tex., in place of J. A. Greer, transferred.

James Thomas Coleman, Livingston, Tex., in place of J. T. Coleman. Incumbent's commission expired February 24, 1942.

Joe H. Victory, New Willard, Tex., in place of J. H. Victory. Incumbent's commission expired November 27, 1941.

Laura A. Bruening, Westhoff, Tex., in place of L. A. Bruening. Incumbent's commission expired November 27, 1941.

VERMONT

Murray K. Paris Lyndon, Vt., in place of M. K. Paris. Incumbent's commission expired November 30, 1941.

Adelbert G. Dudley, Shoreham, Vt., in place of A. G. Dudley. Incumbent's commission expired November 30, 1941.

VIRGINIA

Ireland M. Baker, Haysi, Va., in place of I. M. Baker. Incumbent's commission expired December 1, 1941.

Ruth H. Underwood, Meadows of Dan, Va., in place of R. H. Underwood. Incumbent's commission expired December 1, 1941.

Edna E. Dudley Turner, West Graham, Va., in place of E. E. D. Turner. Incumbent's commission expired December 1, 1941.

WASHINGTON

Henning E. Johnson, Du Pont, Wash. Office became Presidential July 1, 1939.

WEST VIRGINIA

Queenie V. Keagy, Bruceton Mills, W. Va. Office became Presidential July 1, 1941.

John Spetcher, Hopemont, W. Va., in place of John Spetcher. Incumbent's commission expired February 18, 1939.

Herbert A. Frazier, Winfield, W. Va., in place of H. A. Frazier. Incumbent's commission expired August 23, 1941.

WISCONSIN

Mildred M. Dwyer, East Troy, Wis., in place of J. F. Clancy, resigned.

Ludy J. Drolson, Lake Nebagamon, Wis., in place of L. J. Drolson. Incumbent's commission expired November 30, 1941.

WYOMING

Richard M. Turner, Frontier, Wyo., in place of R. M. Turner. Incumbent's commission expired December 7, 1941.

Oscar W. Dahlquist, Mountainview, Wyo. Office became Presidential July 1, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 24 (legislative day of March 5), 1942:

COLLECTOR OF CUSTOMS

Frank J. Duffy to be collector of customs for customs collection district No. 26, with headquarters at Nogales, Ariz.

POSTMASTER

Albert A. Stebbins, Garber, Okla.

UNITED STATES PUBLIC HEALTH SERVICE

TO BE ASSISTANT SURGEONS

John Warren O'Donnell
Stephen John Lange
Fred L. Wommack

UNITED STATES COAST GUARD

TO BE A VICE ADMIRAL FOR TEMPORARY SERVICE
Russell R. Waesche

TO BE REAR ADMIRALS FOR TEMPORARY SERVICE
Stanley V. Parker
Edward D. Jones

TO BE A LIEUTENANT

Randolph Ridgely 3d

COAST AND GEODETIC SURVEY

TO BE HYDROGRAPHIC AND GEODETIC ENGINEERS

Jean H. Hawley Jack Senior
Frederick B. T. Sjems Raymond P. Eyman
Kenneth T. Adams Charles Shaw
Frederic L. Peacock Carl A. Egnor
Ray L. Schoppe Edgar H. Bernstein

Ronald R. Moore
John A. Bond
Cornelius D. Meaney
Augustus P. Ratti
Earl O. Heaton
William M. Scaife
Robert F. A. Studds
Henry C. Warwick
Benjamin H. Rigg
Ralph W. Woodworth
Leo C. Wilder
Albert J. Hoskinson
Elliott B. Roberts
Henry E. Finnegan
Charles M. Thomas
Charles Pierce
Thomas B. Reed
Jack C. Sammons
Robert W. Knox
H. Arnold Karo
George L. Anderson
Isidor E. Rittenburg
Kenneth G. Crosby
Glendon E. Boothe
Earle A. Dilly
Leonard S. Hubbard
Philip C. Doran
John C. Pose
Hubert A. Paton
Walter H. Bainbridge
Carl I. Aslakson
Riley J. Sipe
Samuel B. Grenell
Paul A. Smith
Ira T. Sanders
Edward R. McCarthy
Francis B. Quinn
Emil H. Kirsch
Henry J. Healy
John H. Brittain
Walter J. Chovan
George A. Nelson
Wilbur R. Porter
Clarence A. Burmister
Percy L. Bernstein
James D. Thurmond
Charles A. Schanck
Joseph P. Lushene
Curtis LeFever
Henry O. Fortin

TO BE JUNIOR HYDROGRAPHIC AND GEODETIC ENGINEERS

Charles A. Schoene Dale E. Sturmer
William R. Tucker Fair J. Bryant
Philip A. Weber Charles W. Clark
William N. Martin Joseph W. Stirni
Harold J. Seaborg Glen W. Moore

TO BE AIDES

Edward G. Cunney V. Ralph Sobleralski
Robert H. Randall, Jr. Raymond M. Stone.
G. Albion Smith Lorin F. Woodcock

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 24, 1942

The House met at 12 o'clock noon.

Rev. George F. Kettell, D. D., pastor of St. Mary's Church and past national chaplain of the American Legion, Rochester, N. Y., offered the following prayer:

Almighty and Eternal God, who hast said, "Where two or three are gathered together in my name there shall I be in the midst of them," we dedicate this assemblage to Thy honor and glory and convene it in Thy name.

Here are gathered together the Representatives of the people of a great Nation which Thou hast founded as a haven for all liberty-loving peoples. Here is exercised the authority to rule which has come from Thee through Thy people to

this body; theirs it is to give us under Thee, O God, life, liberty, and happiness.

O God, we humbly ask Thee to dwell in the midst of this legislative body; inspire them with Thy counsels; shower upon them Thy holy grace that they may proceed with patience, wisdom, courage, and unselfishness; that they prove to be a mighty bulwark of true godly Americanism against which the storms of tyranny, cruelty, selfishness, and ungodliness may dash in vain, and behind which bulwark the government of the people, by the people, and for the people will never perish from the earth.

If there ever was a time in our history when we—Government and people—needed to sincerely evoke from our hearts the soul-stirring refrain of our fathers, "In God we trust," it is now. War clouds darken our vision; the powers of evil have been loosed against us; mighty war machines threaten to encompass us and beat us flat to the ground; threaten to ravish our altars, our homes, and our hearth fires; threaten to destroy the God-given principles of liberty, justice, and humanity which we were founded by God to protect. Again as of old with the apostles of Christ we cry out, "Lord save us, we perish," and with our fathers we repeat, "In God is our trust."

O God, we humbly beseech Thee to bless our Government and our people. Pray for us as Thou didst for Thy apostles in the garden of sorrow that we—Government and people—may be one, as Thou and Thy Heavenly Father are one; unity of leaders and people founded on loyalty, courage, and sacrifice; a people ready to hold up the wearying arms of our representatives carrying the torch of liberty 'til the battle with the Philistines is won; leaders ready to subordinate all personal political considerations, working and sacrificing to one end and one end only, that victory and a peace of justice may once again add a lustrous halo to our beloved flag—our Star-Spangled Banner.

May God bless America forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 6738. An act to limit the initial base pay of \$21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade; and

H. R. 6759. An act to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 4665. An act for the relief of Harry Kahn; and

H. R. 5473. An act for the relief of Allene Ruhlman and John P. Ruhlman.

CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on tomorrow, Calendar Wednesday, be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein two editorials from the Chicago Sun, one on freedom of the press and the other on new labor bills.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[Mr. AUGUST H. ANDRESEN addressed the House. His remarks appear in the Appendix.]

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[Mr. MANSFIELD addressed the House. His remarks appear in the Appendix.]

THE 40-HOUR-WEEK DISPUTE

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I have asked for this time in order to read a letter with respect to the 40-hour-week controversy. The letter is from Ralph E. Flanders, president of the New England Council, Statler Building, Boston, Mass. It reads as follows:

DEAR CONGRESSMAN CASEY: It may be helpful in reaching an amicable conclusion regarding the 40-hour week and overtime if a formula is adopted which provides time and a half for all work performed on the sixth consecutive day, and double time for the seventh consecutive day, regardless of the days on which these occur. It then does not matter on which weekday the worker begins his shift schedule.

This progressive increase acts as a brake on excessive overtime costs and overfatigue. I offer this as a suggestion.

Sincerely yours,

RALPH E. FLANDERS, President.

Mr. Flanders, president of the New England Council, is one of the leading manufacturers in the northeastern part of the country. He is a prominent Vermont Republican, who has long been keenly interested in the public affairs of his State, of New England, and of the Nation. His unselfish devotion to the common good, combined with his great experience as a manufacturer and an employer of many men, gives an unusual significance to his suggestion for the settlement of the present 40-hour-week dispute.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. YOUNG addressed the House. His remarks appear in the Appendix.]

Mr. COLMER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, with reference to the statement just made by the gentleman from Massachusetts [Mr. CASEY] with reference to the 40-hour week, I would like to take occasion in commenting on that to advise the House that on yesterday I introduced a bill that would meet the very suggestion that the gentleman made about the 40-hour week.

I would also like to call attention to the fact that that bill contains three other provisions, one of which would outlaw strikes by making those who strike in defense or wartime industries amenable to draft service immediately, and the bill also would make it unlawful to conspire to bring about a strike and would limit war profits.

EXTENSION OF REMARKS

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the Record and to include therein a speech made by the Honorable Paul V. McNutt.

The SPEAKER. Is there objection to the request made by the gentleman from Connecticut?

There was no objection.

PROPOSED RECESS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I understand a program is outlined by some with reference to an Easter

recess of 2 weeks, and while I am always glad to cooperate with our distinguished floor leader, I want to give notice now that so far as I am concerned, as one Member of the House, I shall oppose and vote against and do everything I can to prevent any recess or any adjournment until Congress passes legislation with reference to the slow-down of production in our munition plants.

EXTENSION OF REMARKS

Mr. BENDER. Mr. Speaker, I have two requests, one to revise and extend my own remarks in the Record and the other to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, our chaplain this morning made a fervent prayer. We thank him for his prayer, especially at this time, for we sorely need guidance, here and in the entire Nation. In my home town on Sunday a bomb or pineapple was planted on the porch of a labor leader. You would think that our people today would use their pineapples for the Japanese. When you read about a concern in my home town, the Jack & Heintz Co., receiving \$600 from the Navy Department for a piece of equipment which cost about \$270 to produce, you can appreciate that we need to be prayed for in America today.

Mr. RANKIN of Mississippi. The gentleman means in Ohio.

Mr. BENDER. Yes; Ohio, New York, Illinois—every State, and Mississippi in particular.

We are grateful to the Naval Affairs Committee of the House for turning the searchlight on the nefarious practices of those who are impeding the war effort.

PROPOSED RECESS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MUNDT. Mr. Speaker, the reading of last night's newspaper provided at least three items of news which should give us serious cause for thought.

The first was the report that a Mr. William Jack, of Bedford, Ohio, has received an increase in salary and bonuses of over \$100,000 last year over what he received the year before and that he paid his secretary \$39,000. Mr. Jack's firm is engaged in making war supplies, Mr. Speaker, so these fabulous salaries were paid out of the pockets of the taxpayers while their boys shoulder arms at \$21 per month.

The second story reported labor disputes and work stoppages and pointed out how much less than 24 hours a day the production lines of America are actually working.

The third item stated it was planned for Congress to take a 2-week recess starting next Monday. Mr. Speaker, I submit that in justice to the boys of Bataan and the rest of our armed forces Congress should stay steadily in session until we have done whatever it is necessary to do to get full 24-hour production

going in every shop and factory of America and to stop unconscionable war profiteering wherever it is taking place, by either labor leaders or industrialists. I realize that many Members would like to get home because of impending primary elections. In that respect I am no different from the rest as I have a primary opponent who is campaigning against me day and night as is his right. I, too, would like to be home to correct misrepresentations and do some campaigning of my own but in times like these, politics, privilege, and profits must give way so that America can be on with the job of winning this war.

America will survive whether any of us return to Congress or not but America will not succeed unless we make it possible to produce weapons needed by our boys, so they can change retreat into victory. Congress must not recess now. We must not make the mistake Nero made when he chose the wrong period of Roman history in which to do his fiddling.

EXTENSION OF REMARKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?
There was no objection.

PROPOSED RECESS

Mr. POAGE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?
There was no objection.

Mr. POAGE. Mr. Speaker, others have already expressed their feeling that we should not recess until we have taken action on the pending proposals to speed up production and limit profits. There is now pending in the Committee on Naval Affairs legislation which I think is of vital importance to the people of the United States. I refer to the Vinson bill, and to the companion Smith bill, which I understand is before the Committee on Military Affairs. I do not think this House should recess for one single day until we have acted upon that legislation. Those bills are, in my opinion, of vital importance to the Nation. We owe it to our armed forces to put a stop to any unconscionable profits on defense work. We owe it to America to have done with the racket of charging American citizens for the right to work on Government jobs. We owe it to the free people of the world to see to it that our industry runs 24 hours per day.

I know that there are Members who think that if we would go home and talk with the people it would cause us to more readily vote for this legislation. Others seem to think that such a visit would have exactly the opposite effect. I think it is always well for Representatives to visit with the people they represent just as often as possible. It makes for better and more representative government. I have no fear of the result of a visit with the people on the outcome of the vote on this legislation. Under ordinary circumstances I might go along with those who want to recess to give an opportunity for contact with the people. But, these are not ordinary times. We need action.

Some of us have tried to show this House the necessity for action for many months. At last I believe that a majority agrees we should act. Let us, therefore, stay here on the job until we have taken action.

Mr. WOODRUM of Virginia. Mr. Speaker, will the gentleman yield?

Mr. POAGE. Yes, I gladly yield to the distinguished gentleman from Virginia.

Mr. WOODRUM of Virginia. I am in sympathy with what the gentleman says, but we are told that this committee cannot possibly get this bill in here for 10 days or 2 weeks. What is the gentleman going to do in the meantime?

Mr. POAGE. I do not know why the committee cannot get it in next week with all ease. They have had all this week and a good part of last week. The committee can have a bill in here next week, and it should have.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. TABER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?
There was no objection.

Mr. TABER. Mr. Speaker, the influence of labor unions starts to rise as a result of excesses on the part of employers. The influence of labor unions starts to decline as a result of excesses on the part of walking delegates. At the present time the influence of labor unions in this country has dropped tremendously and is still dropping, because of the excesses of the walking delegates. I am not so sure but that it would be better for the walking delegates to be given 2 weeks more of rope and have the Members of the House and Senate go home and find out how the people feel and what the actual situation is that the walking delegates have created. It is a menace to America and it is a menace to the workingmen of America.

COMPENSATION OF GOVERNMENT WORKERS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?
There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I do not propose to enter into the merits of the controversy that is revolving around Mr. Guthrie, who lately retired from the Office of War Production. I do want to point out that on principle Mr. Guthrie is correct in that Mr. Nelson should have under him people who are working for the Government who derive their entire compensation from the Government, and not from any other source. I have said that before and still believe it. I am not shooting at any individual. But if they are determining governmental policy, I think they ought to be governmental employees, and on no other pay roll.

Mr. RANKIN of Mississippi. If the gentleman will investigate the income-tax returns, he will find that many of the multimillionaires of the last 20 years were dollar-a-year men in the last war. I agree with the gentleman from California thoroughly; these men ought to

draw their compensations entirely from the Government, and not be obligated to someone else.

Mr. VOORHIS of California. I refer the gentleman to H. R. 6443, a bill I introduced long ago that would forbid anyone to hold one of these positions and remain on any private corporation or organization pay roll. And I thank the gentleman for his contribution.

The SPEAKER. The time of the gentleman from California has expired.

EXTENSION OF REMARKS

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include a resolution from my home town, Concordia, Kans.

The SPEAKER. Is there objection?
There was no objection.

Mr. GUYER. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from a constituent.

The SPEAKER. Is there objection?
There was no objection.

LABOR LEGISLATION

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?
There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I am tremendously serious when I say that before we can whip Hitler in Berlin and the Japs in Tokyo, we at least have to dehorn Phil Murray in Washington, D. C. It does not make any difference whether we go home for 2 weeks or not. I am arranging meetings for the next 2 weeks in my district, to let the people tell me just how they feel about all these things. We can go home and stay 2 weeks or 4 weeks and it will not make any difference. There is only one man in this Nation who stands between the Smith bill and its success. Until he changes his mind nothing can be done, because he controls Congress. From that second ledge behind me I heard him say to us once:

Don't be an ostrich; don't hide your head in the sand.

Now it is his turn.
[Here the gavel fell.]

EXTENSION OF REMARKS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my remarks and print therein an article from the Florida Catholic, the official newspaper of the diocese of St. Augustine, Fla.

The SPEAKER. Is there objection?
There was no objection.

LABOR LEGISLATION

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?
There was no objection.

Mr. GEARHART. Mr. Speaker, I have listened to several Members of this body voice objection to the adjournment of Congress until we will have passed legislation eliminating certain statutes which are interfering with war production. I do not agree with them. I want this Congress to recess for 2 or 3 weeks. I want every Member to go home and

talk to his people as I have recently talked with mine, because, if they do go home and do talk to their people, they will come back here and repeal all of that legislation with such speed and positiveness that, in comparison, the bat of an eye would seem like slow motion.

[Here the gavel fell.]

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, personally it makes no difference to me whatsoever whether we take a 2 weeks' recess or not, but anybody who has heard the 1-minute speeches yesterday and today might well come to the conclusion, if they noticed the heat with which various Members have spoken, that perhaps a cooling-off period of about 2 weeks might do the Members of Congress a little bit of good. So I suggest that if we do not recess, we at least try to keep cool and not pass any legislation hurriedly and under pressure of what I think is hysteria.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from a mother in my district, which for its simplicity and forcefulness is to my mind a fine classic.

The SPEAKER. Is there objection?

There was no objection.

LABOR LEGISLATION

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I am glad at least to see that we are getting some recruits to fight for those principles that some of us have been fighting for on this floor during the past 2 or 3 years. I think we can now say we were justified in the things we said in the Well of this House.

However, I did not rise for that purpose. I rose for the purpose of saying that I have an answer to the gentleman from Missouri [Mr. COCHRAN] who took us from the State of California to task because we had the temerity to ask for protection and we had the temerity to ask if we still have State rights and the right to pass our own laws with reference to State taxes.

I hope the Members of this House will read the reply I am going to put in the Record to the gentleman from Missouri [Mr. COCHRAN].

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HARRIS of Arkansas. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement I made before the Ways and Means Committee this morning.

The SPEAKER. Is there objection?

There was no objection.

LABOR AND PROFITS LEGISLATION

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I do not rise in the House for the purpose only of occupying 1 minute in addressing my colleagues. I would not do it on this occasion if I did not feel deeply about the vital need for prompt action being taken against those persons and firms who are apparently reaping huge returns from war contracts.

On December 4, 1941, the day following our vote on the so-called antistrike legislation in this House I pleaded in this Well that we carry on with the program of stopping racketeering, not only in labor's ranks, but also in the ranks of employers as well. I contended then that our vote of December 3d should be followed very quickly by legislative action in this body against profit patriots and defense brokers who are using the war effort to further selfish gains.

I have been amazed at the testimony given before the House Naval Affairs Committee in relation to the unwarranted contracts for materials going into the prosecution of the war. Gentlemen, we cannot delay longer in this responsibility. These culprits of corruption in management must be driven from our industrial system.

[Here the gavel fell.]

RECESS OF CONGRESS

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATRICK. Mr. Speaker, I do not know whether we are going to take a couple of weeks off or not. I know one thing, however. If I live and do well, I expect to get off some way and go down to see my folks for a few days and shake hands with them regardless of whether the rest of you go or not. I want to know what the people I represent are talking about. Somebody may be blaming me with the responsibility of passing that thing they call the Congress pension act. I cannot let that go. You know I did not vote for it, and it was no pension if I had.

Now, I am not going to get up here, a member of one committee, and tell you how quickly another committee should get legislation out on the floor; that is its responsibility. If they need to take some more time to study it, I am not going to assume to state they cannot have it. Those who talk the other way are not fooling anybody but themselves. They feel just like I do, too; they are not kidding anybody.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein a news item and a portion of a letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LONGEVITY PAY FOR POSTAL EMPLOYEES

Mr. ROMJUE. Mr. Speaker, I call up the conference report on the bill (H. R.

1057) to establish a system of longevity pay for postal employees, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the Bill (H. R. 1057) to establish a system of longevity pay for postal employees, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendment of the Senate numbered 1; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the language inserted by the Senate amendment insert the following: "as a reward for continuous service heretofore rendered or to be rendered hereafter, shall be granted \$84 per annum in addition to their base pay as now or hereafter fixed by law upon completion of ten years' service; and an additional \$60 per annum upon the completion of an additional five-year period of service thereafter: Provided, That no credit shall be given for service after the fifteenth year of employment: Provided further, That in computing an employee's length of service, credit shall be given for substitute service"; and the Senate agree to the same.

M. A. ROMJUE,

T. G. BURCH,

FRED A. HARTLEY, Jr.,

N. M. MASON,

Managers on the part of the House.

KENNETH MCKELLAR,

JAS. M. MEAD,

PAT MCCARRAN,

JAMES J. DAVIS,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1057) to establish a system of longevity pay for postal employees, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The House conferees agreed to Senate amendment 1 to strike out of page 1, line 3, postmasters of the third and fourth classes. It was then agreed to accept the House language pertaining to the longevity provisions of the bill with the exception of the amounts to be added to the base pay of employees at the end of ten and fifteen years service; those amounts were agreed upon as \$84 per annum at the end of ten years continuous service and an additional \$60 per annum upon the completion of an additional five-year period of service thereafter.

The effective date of the act was fixed as July 1, 1942, the date carried in the bill as reported to and passed by the House July 23, 1941.

M. A. ROMJUE,

T. G. BURCH,

FRED A. HARTLEY, Jr.,

N. M. MASON,

Members on the part of the House.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield.

Mr. MICHENER. There have been a lot of inquiries concerning this conference report. While the statement is quite adequate, I wish the gentleman would state the reduction made in the Senate bill over that in the House bill, for there is quite a reduction.

Mr. ROMJUE. Mr. Speaker, I yield for that purpose to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Speaker, when the House passed this longevity pay bill by an overwhelming vote it carried two increments: One of \$100 a year and a second increment of an additional \$100 a year after 5 more years of service. The Senate reduced these increments each to \$60 per year. In the conference it was agreed that the House should recede on its first increment of \$100 a year and accept \$84, which is \$7 per month. The House receded. On the second increment the conference committee agreed on the Senate provision of \$60 per year.

Third- and fourth-class postmasters were also cut out of the benefits of the bill by the conference committee.

These are the main changes. The bill now carries a considerable deduction over the House bill.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield.

Mr. STEFAN. Why were third- and fourth-class postmasters eliminated? I have received a lot of letters from third- and fourth-class postmasters complaining that they were eliminated from the bill, and they want to know why.

Mr. MASON. The elimination was because of the fact their inclusion would mean an additional amount of money; and it was also very difficult to figure how longevity pay could be applied to them. The entire proposition was taken out.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. ROMJUE. I yield.

Mr. TABER. This bill passed the House, of course, before Pearl Harbor. Does the gentleman believe the general public is going to be happy about bills carrying increases in compensation to employees of the Government?

Mr. MASON. Yes; I do if that increase is justified; and I consider this probably the most justifiable increase we could give to this class of Government employees. Certainly it is more justifiable than any straight increase in pay because it establishes the longevity principle, which is one of the soundest and sanest principles to be adopted in any employment policy.

Mr. TABER. This, as I understand, will call for an increase of about \$9,000,000 a year.

Mr. MASON. Approximately; yes.

Mr. BULWINKLE. I will ask the gentleman right there if it does not run closer to \$12,000,000 a year?

Mr. MASON. It may, because we have cut out the third- and fourth-class postmasters. We have reduced it, but we do not know how much.

Mr. RICH. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Pennsylvania.

Mr. RICH. The Post Office Department, about 10 years ago, increased the first-class postal rates from 2 cents to 3 cents, giving the Post Office Department \$100,000,000 additional revenue. Then you made various changes in your laws, increasing the salaries of everybody in the Postal Service. You have used up the \$100,000,000, and last year you were \$40,000,000 in the red. How are you going to raise that money? Will you put on additional revenue for the Post Office Department to take care of the deficit as well as the amount you are going to pay extra here so that the Post Office Department will not draw on the Federal Treasury but will pay its own way?

Mr. ROMJUE. I may say to the gentleman that his statement does not in any way attach itself to this legislation. The statement he has made about increasing the salaries of postal employees is not correct. I decline to yield further to the gentleman.

Mr. RICH. But the Post Office Department is in the red at this time.

Mr. CURTIS. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Nebraska.

Mr. CURTIS. I would like the gentleman to state a little bit more the reason why third- and fourth-class postmasters were left out of this bill.

Mr. BURCH. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Virginia.

Mr. BURCH. The conferees considered that matter for sometime, and I may say we were in and out on it. We finally reached the conclusion, in addition to what the gentleman from Illinois has said, that the postmasters were in a different class or in a different group from the regular employees of the Postal Service and if we included the third- and fourth-class postmasters and not first- and second-class postmasters it is very probable that it would be considered discriminatory. May I say to the gentleman further that this House has passed a bill that is very helpful to the fourth-class postmasters. It is much more beneficial than this would be. That bill is now in the Senate and I notice that Senator McKellar has stated it is probable the bill will be passed by the Senate, perhaps with some amendments, in a short time. I am hoping that legislation will come through that will take care of the fourth-class postmasters to a great extent. As to the third class we might consider some amendment.

Mr. FORAND. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Rhode Island.

Mr. FORAND. Considerable confusion seems to have arisen from the wording of the amendment. A great many of the post-office employees have asked me for a clarification of it. I have spoken to the conferees and I am informed it is the intent of this legislation that men with 10 years' service will get the \$84, then will have to wait 5 years to get the additional \$60. Men with 15

years' service would automatically get \$144.

Mr. ROMJUE. That is correct.

Mr. FORAND. It is feared that the Comptroller General may misinterpret the intent of this amendment.

Mr. ROMJUE. We have discussed that with the Post Office Department and their legal authorities think they will get their \$84 after the first 10 years and in the next 5 years they will get \$60 additional, plus the \$84.

Mr. FORAND. Those men who have already 15 years' service will get the two instead of having to wait 5 years to get the second increment.

Mr. ROMJUE. That is correct.

Mr. BURCH. All who have served 10 years but not to exceed 15 years get \$84 annually. All who have served 15 years will get \$144.

Mr. LECOMPTE. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Iowa.

Mr. LECOMPTE. Will the gentleman tell us this: Does it include all postal employees—railway mail clerks, rural route men, and city carriers?

Mr. ROMJUE. All who deal with the mail. I may say to the gentleman that since this bill was passed by the House the Pearl Harbor incident has occurred. Since we have gotten into the war and up to January 1 over a thousand men out of the Postal Service, expert postal men, have gone into the Army or Navy—in other words, have gone into the service. This recent draft will take out from twelve to fifteen thousand experienced men from the Postal Service. Of course, the mail is piling up.

Mr. LECOMPTE. It includes substantially everybody in the Service then except the third- and fourth-class postmasters?

Mr. ROMJUE. Yes.

Mr. BENDER. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Ohio.

Mr. BENDER. Is it not a fact that the postal employees have not had an increase in pay since 1924? The argument has been offered that this bill was introduced before Pearl Harbor. Is it not further a fact that the cost of living in some of these cities has gone up anywhere from 9 to 15 percent since Pearl Harbor? Is it not a fact, further, that this branch of the service represents regular employees, not extra employees, and that they deserve this consideration at the hands of Congress?

Mr. ROMJUE. Yes; and I may say also that this legislation was passed for the purpose of establishing the longevity principle.

Mr. MICHENER. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Michigan.

Mr. MICHENER. There seems to be some misunderstanding about postmasters. Postmasters are not affected at all by this bill, are they?

Mr. ROMJUE. That is right.

Mr. MICHENER. This bill deals entirely with the personnel working in the post offices?

Mr. ROMJUE. That is right; the employees handling mail.

Mr. MICHENER. It deals with the longevity service, and it will be an incentive to keep in the Department the men who are now leaving the Department because of higher wages in industry. Is that true?

Mr. ROMJUE. That is right.

Mr. MICHENER. Something has been said about the increasing cost of living. The gentleman from Ohio referred to an increase of 15 percent. I may say that in Detroit it has increased 20 percent, I am advised. Many of our postal employees, naturally, are thinking about going into industry, where they may receive higher wages. I think we ought to do what we can to keep those men in the Postal Service.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Can the gentleman from Missouri tell me what is the content and intent of the bill pending in the Senate relative to fourth-class postmasters?

Mr. ROMJUE. I have forgotten just who introduced that bill.

Mr. BURCH. If the gentleman will yield, I may say that the fourth-class postmasters are now on cancellation.

Mr. BROWN of Ohio. That is right.

Mr. BURCH. The bill passed by this House and now in the Senate puts the postmasters of the fourth class on a salary basis.

Mr. BROWN of Ohio. Will their income be larger than it is at the present time?

Mr. BURCH. Yes. As an illustration, the average postmaster earning, say from \$400 to \$450, would have a salary of \$572; those receiving from \$450 to \$500 would get \$608; those receiving from \$500 to \$600 would get \$684; and it continues along at that rate.

Mr. BROWN of Ohio. The fourth-class postmasters are probably the lowest-paid employees in the Federal service.

Mr. BURCH. May I call attention to one other matter in regard to the postal employees? In the last week we passed a bill in this House—and it is agreeable to the postal employees—by which they go on a 48-hour week without overtime pay.

Mr. HAINES. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Pennsylvania.

Mr. HAINES. The bill referred to by the gentleman from Ohio I do not believe in the final analysis will cost the Post Office Department an additional penny, because it will eliminate much of the unnecessary work now performed in auditing and computing the compensation to which the fourth-class postmaster is entitled. The present system is a very complicated method and very unsatisfactory. I believe the passage of the bill now pending in the Senate, and which was passed by this House, will be very helpful and not cause any additional expense to the Department.

Mr. MICHENER. These postal employees, as suggested by the gentleman from Virginia just a moment ago, will go on a 48-hour week. You are not increasing the pay for the 48-hour week. If what the gentleman says is correct, these employees are going on a 48-hour week. We are hearing lots about 40-hour and 48-hour weeks. When those employees accept a 48-hour week, I think we ought to think twice before we act too hastily on some of these bills.

Mr. O'BRIEN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Michigan.

Mr. O'BRIEN of Michigan. I understand that the words "for continuous service heretofore rendered" apply to the increase for the 15-year bracket as well as the 10-year bracket, so that a man who has had 15 years of continuous service at the time this bill takes effect would get the \$144 per annum increase. Is not that the intent of this language?

Mr. ROMJUE. I believe that is right.

Mr. O'BRIEN of Michigan. I understand that was the intent of the committee.

Mr. SAUTHOFF. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Michigan.

Mr. SAUTHOFF. The gentleman speaks about a thousand men going into the military or naval service of the country. If those men are in the service let us say for a year or 2 years, is the period of that service to be added onto the 10 years they may have served up to this time in the Postal Service?

Mr. ROMJUE. I do not think they will lose anything by being in the military service.

Mr. SAUTHOFF. That is not what I am asking. I am asking, are they going to get credit for those 2 years on the 10 years they have already been in the service? If not, they ought to get it, in my judgment.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Arizona.

Mr. MURDOCK. Do I correctly understand that this does not apply to any postmasters? But only to other postal employees?

Mr. ROMJUE. That is right.

Mr. MURDOCK. It applies to the employees in the first- and second-class offices?

Mr. ROMJUE. That is right.

Mr. MURDOCK. But not the third- and fourth-class offices. I think it unfortunate that all employees could not be included, and included on the more generous terms as the bill included before Pearl Harbor, but even this is fairly good as the beginning of longevity pay.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Alabama.

Mr. PATRICK. I believe the situation in regard to the question asked by the gentleman from Wisconsin [Mr. SAUTHOFF] was not made entirely clear. As I understood the question asked by the gentleman from Wisconsin, it covered

this sort of a condition: A postal employee goes into the service. A substitute takes his place and, if I correctly understand the postal regulations, becomes a regular. When the former employee returns from the military service, he goes back into the Postal Service.

Mr. ROMJUE. That is right.

Mr. PATRICK. What happens as far as the 2 years that employee was in the military service is concerned? Is that counted as a part of his Postal Service?

Mr. ROMJUE. I doubt if that is involved in this bill.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. With the gentleman's permission, may I ask the gentleman from Virginia this question: In the bill recently passed that provides for a 48-hour week, is it not true that provision is made for payment of overtime in excess of 48 hours?

Mr. BURCH. It provides for regular pay.

Mr. WHITTINGTON. It provides for regular straight pay. I want to understand that. It does not provide for overtime pay in excess of 48 hours.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 80, noes 6.

So the conference report was agreed to.

A motion to reconsider was laid on the table.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1943

Mr. JOHNSON of Oklahoma, from the Committee on Appropriations, reported the bill (H. R. 6845) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1943, and for other purposes (Rept. No. 1935), which was read a first and second time and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. RICH reserved all points of order against the bill.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6845) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1943, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that debate may be equally divided between the gentleman from Pennsylvania [Mr. RICH] and myself.

Mr. RICH. Mr. Speaker, reserving the right to object, general debate will continue for today?

Mr. JOHNSON of Oklahoma. I think it will depend altogether on how many Members ask for time. On this side of the House we have not received very many requests for time, and I was hopeful we might conclude general debate within the next 2 or 2½ hours and actually start reading the bill for amendment.

Mr. RICH. I have a good many requests for time, and I would suggest that we continue with general debate for a while.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

APPROPRIATION FOR DIES COMMITTEE

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Missouri.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, the gentleman from New Jersey [Mr. THOMAS] has just released to the press the most unwarranted attack that has ever come to my notice in my long service here upon a committee of this House. The language of the gentleman from New Jersey [Mr. THOMAS] is such that I know, beyond a shadow of doubt, that I could rise to a question of personal privilege and be recognized for that purpose if I so desired, but I am not going to avail myself of that privilege.

The gentleman accuses the Committee on Accounts of refusing to appropriate additional money for the Dies committee.

I want to say to the Members of the House that immediately following the passage of the resolution extending the life of the Dies committee, I called a meeting of the Accounts Committee, and I endeavored to get in touch with the gentleman from Texas [Mr. DIES]. I could not find him. I was told at his office that he was around the city somewhere. Finally, after 2 days, I was advised by his secretary he had gone to Texas. I thereupon called the meeting off.

The Accounts Committee is not going to consider the resolution appropriating money to carry on the activities of the Dies committee in the absence of the gentleman from Texas [Mr. DIES], unless the gentleman is sick or advises me he cannot appear in person.

The gentleman from New Jersey [Mr. THOMAS] says they have little money. There was \$6,000 to the credit of the Dies committee this morning which shows the gentleman from New Jersey [Mr. THOMAS] does not know what he is talking about.

After accusing the administration of bleeding the Dies committee to death, the gentleman from New Jersey [Mr. THOMAS] said this is—

a situation highly gratifying to the Communist Party and the various Nazi and Fascist organizations that were unsuccessful in blocking the continuation of the committee on the floor of the House.

And he then accuses the administration of deliberately moving to cut off the committee's funds. He continues by saying that the latest attack is the most insidious and successful attempt to date to throttle the committee, made at a time when there has never been a greater need for its existence.

The gentleman from New Jersey talks at random, and as chairman of the Committee on Accounts permit me to say that no member of this administration has ever approached me with any such a suggestion. As I have repeatedly stated, the Accounts Committee is an agent of the House and when the House provides for a select committee it is the duty of the Accounts Committee to appropriate money so that it can carry out the duties imposed upon it.

The Accounts Committee has always made it a policy, especially where the time of a select committee has been extended, to require the chairman and members of the committee to justify their demand for an appropriation. That policy will be followed in connection with the Dies committee.

As those who have followed the activities of the Dies committee know, the Congress has appropriated \$385,000 during its life, which is more than has ever been appropriated for a select committee in its history. The Accounts Committee will, when the chairman of the Dies committee and the members of the committee justify an additional appropriation, bring in the proper resolution for that purpose, and not before.

I say to the gentleman from New Jersey the members of the Accounts Committee are not of that type who listen, as he says, to Fascists, Nazis, or members of the Communist Party.

On behalf of the committee, I resent the attack made by the gentleman from New Jersey.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. WHITE. Mr. Speaker, will the gentleman from Oklahoma yield to me?

Mr. JOHNSON of Oklahoma. I yield.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein the testimony of Commissioner of Reclamation Page before the Committee on Appropriations.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1943

The SPEAKER. The question is on the motion of the gentleman from Oklahoma.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6845, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, in submitting for your consideration the annual bill for appropriations for the Department of the Interior for the fiscal year 1943, let me say at the outset that I feel that the committee has done a reasonably good job. The hearings began on February 23 and continued morning and afternoon every day, including Saturday, for approximately 1 month. This is not an easy bill to handle. As many of you know, there

are more items in the Interior Department appropriation bill than any other annual appropriation bill that has or will come before the Congress.

The committee, in considering the bill, was, for the first time in many years, without the valuable advice and counsel of our late distinguished and beloved chairman, Hon. Ed Taylor, of Colorado, who a few months ago, as all of you recall, passed to his reward after more than 30 years of very honorable service in this House. He was a member of the Appropriations Committee for more than 20 years, and for 18 years was a member of this particular subcommittee. We have missed him in advice and wise counsel.

The present distinguished chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON], appeared before the committee at the opening session and made a valuable statement and questioned what may correctly be called the main witness, the Secretary of the Interior. Chairman CANNON demonstrated that he is very familiar with the items in the bill. And the Secretary of the Interior also demonstrated that he has a wealth of information. He speaks direct to the point and is not evasive, nor does he deal in glittering generalities.

Every member of the committee, both the majority and the minority, attended the hearings faithfully, appeared on time, and stayed until the last rap of the gavel, figuratively speaking. Many times we sat through the day without lunch, in order to expedite the hearings. I am glad to say that the minority members of this committee rendered very faithful and efficient service. There was mighty little partisan politics in evidence in the consideration of this bill. Although we were not always in agreement on certain items, and we sometimes had pretty hot discussions, generally speaking we got together on the items and this is more nearly a unanimous report from our committee than any other committee on which I have had the honor to serve. Of course what I say about the minority members applies also to the majority members of the committee. I told the full Committee on Appropriations this morning that we had divided up our work, that I assigned certain members to the various activities and that we found that method had facilitated and expedited our hearings and we believe that we approached the subjects in a more intelligent manner than we have ever before been able to consider a bill of this character and magnitude.

I cannot refrain from mentioning in particular one member of our committee who sat with us this year throughout the long ordeal of hearings, who will not be with us next year. I refer, of course to our beloved and distinguished colleague, the gentleman from Washington [Mr. LEAVY], who has recently received a very important judicial appointment in the State of Washington, and who, I understand, will be leaving soon for his new position. It is, of course, needless for me to tell you who know him that the gentleman from Washington is a tireless worker as well as one of our most effective and conscientious members. We shall miss him greatly,

and as he goes to his new field of endeavor where he will make a great Federal judge I am sure I speak the sentiment of every member of the committee and the House when I say that we wish him well in his wider scope of activity.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. MURDOCK. I rise to second the remarks just made concerning our colleague the gentleman from Washington, Judge LEAVY. As one coming from the far West, where irrigation is so supremely important, I value highly the work that the gentleman from Washington, Judge LEAVY, has done on the committee, especially with reference to reclamation. As I said before the gentleman's committee, I am saddened to think that we are losing him, but I congratulate the great cause of reclamation in that he, as a newly appointed Federal judge, is going on the bench at a time when judicial interpretations and decisions are to be made involving new uses and rights of water in arid lands. Such matters will come before him in the future for judicial as well as similar problems in the past for statesmanlike consideration. As I said also before the committee, I feel that we will have to have the due perspective of history in order to discern fully the work that he has done in the 5 years he has been a Member of this House and of this subcommittee. The gentleman from Washington, Congressman LEAVY, has been a statesman of the first order, working for legislation and governmental action such as would benefit generations yet unborn as well as for the benefit of those who occupy the land today.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I thank the distinguished gentleman from Arizona for his very splendid statement, and I am sure what the gentleman has just stated reflects the sentiment of every Member of this House on both sides of the aisle.

Mr. Chairman, there are 26 agencies and activities of Government within the Department of the Interior. It is not an easy thing to get the detailed information one needs to make an intelligent appropriation for any particular agency, when one has so many agencies to deal with. I am going to make a statement now that some may not appreciate, but I think I ought to make it. Thirty Members of the House appeared before our committee. Twenty-odd other witnesses also appeared, all of whom gave testimony to the needs of the various agencies and activities or projects in which they were particularly interested. The record discloses that each and every Member of Congress, including one able and distinguished United States Senator, asked the committee to appropriate funds in excess of the Budget estimate. I am safe in saying I think that if the committee had heeded the advice and suggestions of those 30 Members of Congress, instead of being able to bring in a report many millions of dollars below the Budget estimate, and many more millions below what it took to operate the Department of the Interior last year, this committee

would have been forced to appropriate many, many millions of dollars more than the Budget estimates and possibly more than it will take to operate this Department of Government for the current fiscal year.

I repeat that not one single Member of Congress appearing before the committee was able to point out wherein the committee might be able to reduce an appropriation below any Budget estimate.

May I call your attention to the fact that the Department of the Interior, without asking for it and possibly without any desire on its part, has become to a large measure a defense agency. I might almost call it a war agency. Except for the Army and the Navy, the Department of the Interior today is much more a defense or war agency than any other department of Government. That, of course, made it necessary, in some instances, to increase appropriations. I will mention some of those as I go along.

For example, the Bureau of Mines, which has always been an important agency, is now exerting practically all of its activities to an all-out war effort.

While we were holding our hearings there came in supplemental estimates for this Bureau, and I assume there will be additional supplemental estimates in those agencies that have been called upon by the War Department to render special service in connection with war activities.

There is the Geological Survey that has been called upon to do special work for the War Department.

There is the Reclamation Service that, to all intents and purposes, is a war activity or a defense activity. It is well known that an efficient war program cannot be carried to a successful conclusion without a tremendous supply of electrical energy. The Reclamation Service is engaged in a desperate effort to complete several large power projects in order that it may assist in relieving the power shortage which now threatens the country and the war program. Vast amounts of power being developed and about to be developed in connection with several of our reclamation projects, and power being developed at Bonneville Dam, which, as you know, was constructed by the engineer department of the Army, are vitally essential in the reduction of ores containing minerals of strategic importance such as zinc, lead, copper, tungsten, magnesium, and other minerals. The processing of ores to secure these essential minerals requires tremendous quantities of electrical energy and the production of this power on reclamation projects and at Bonneville Dam has proved of inestimable value to the war effort.

In connection with the Bonneville power development and the Grand Coulee power development, I am sure Judge LEAVY and others will discuss these items in some detail in connection with this bill.

May I pause long enough to say that in times past it has been somewhat difficult to get appropriations for some of these departmental agencies and activities.

For example, we have been told in years past that we were wasting money on some of these great reclamation projects; that there was no need of additional power; that there was no need for additional reclamation projects, but today we find ourselves in a position where the Government is actually faced with a shortage of power in many of those areas.

I am wondering, Mr. Chairman, what would have happened if we had not had some far-sighted men on this committee like the gentleman from Washington, Judge LEAVY, for example, who have fought from the very beginning for more power and more reclamation projects to create more power. I am wondering what we would do for magnesium and many of the strategic ores and materials that are so essential for the prosecution of the war if we had not made a fight for some of those activities for which the committee in the past has been seriously criticized, both in and out of Congress?

In an annual appropriation bill that was passed a few days ago we heard a great deal about travel pay, and many items of travel pay were cut. So your committee especially investigated and considered that part of the bill, and I am glad to report to you that travel expense has been cut from 5 percent in the strictly war activity agencies, like the Bureau of Mines, to more than 75 percent in some of the strictly nondefense activities. Altogether, we have cut travel pay in the various departments over \$571,000, or an average of nearly 20 percent, which occurs to me is a drastic cut.

Mr. NELSON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. NELSON. Reference has been made as to reduction of travel allowances, not only in this bill, but in another previously considered. Recalling the support given by the gentleman in charge of the bill now under consideration, when efforts, some successful, were made to reduce travel costs in the Agriculture appropriation bill, I heartily congratulate him. Travel costs have for years increased without reason. In some instances they are little short of scandalous. Such waste and extravagance simply has to stop. So much Pullman travel and palatial hotel entertainment, while to be condemned in peacetime is absolutely inexcusable in wartime. In every effort looking to travel reduction costs the gentleman from Oklahoma [Mr. JOHNSON] has been active, as in everything looking to proper economy so as to lighten the burden which taxpayers must bear.

Mr. JOHNSON of Oklahoma. I appreciate the gentleman's very kindly contribution and will say to the gentleman that travel pay had already been cut in this bill tremendously before the committee began consideration of the bill.

Before taking up a detailed discussion of the bill, let me say I have just received from the Interior Department a special itemized statement as to the revenues of that Department. Possibly some Mem-

bers of Congress do not really understand that the Interior Department is one of the few departments that each year actually produces revenue to and for the Treasury.

I will discuss some of those a little later.

The total revenues of the Interior Department, as just handed me, amounts to \$52,922,624. I will include in my remarks an itemized statement showing where those revenues come from. For instance, there are revenues from the Grazing Service of more than a million dollars.

Revenues from the Bonneville Power Administration of more than \$6,000,000. Revenues from the General Land Office of more than \$7,000,000. Revenues from the Bureau of Indian Affairs of more than \$7,000,000. Revenues from the Bureau of Reclamation, and how much do you suppose? Over \$15,274,000. Revenues from the National Park Service of more than \$2,000,000. Revenues from the Fish and Wildlife Service, \$1,761,000. Revenues from Government and Territories of more than \$5,000,000. Here is the itemized statement to which I referred:

Department of the Interior—Estimated receipts by bureaus, fiscal year 1942

Bureau	General fund	Special funds	Trust accounts	Total
Office of the Secretary	\$440			\$440
Grazing Service	577,500	\$600,000	\$200,500	1,378,000
Bituminous Coal Division	5,134,489			5,134,489
Bonneville Power Administration	6,476,550			6,476,550
General Land Office	862,500	6,505,500	112,000	7,480,000
Bureau of Indian Affairs	1,520,000		5,968,305	7,488,905
Bureau of Reclamation	3,201,000	12,000,000	73,000	15,274,000
Geological Survey	45,000			45,000
Bureau of Mines	45,000	50,000		95,000
National Park Service	2,202,255		38,140	2,240,395
Fish and Wildlife Service	1,548,160	98,000	135,200	1,781,360
Government in the Territories	425,085	5,000,000	100,000	5,525,085
Total	22,041,979	24,253,500	6,627,145	52,922,624

¹ Revenues collected by Internal Bureau.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield. Mr. HOUSTON. In other words, the revenue is about one-quarter of the total appropriation for the next fiscal year; is that not correct?

Mr. JOHNSON of Oklahoma. I believe that is about correct.

Mr. HOUSTON. That is a remarkable showing.

Mr. JOHNSON of Oklahoma. I thank the able gentleman from Kansas, and will agree that is a remarkable showing.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the distinguished gentleman from New York.

Mr. WILLIAM T. PHEIFFER. I think it would be interesting to learn just what disposition is made of this revenue. Is it used for the operating expenses of the various departments that bring in the revenue, or is it put into a general fund of some sort?

Mr. JOHNSON of Oklahoma. Some of it is used for that purpose, but the major portion of it goes into the Treasury of the United States, and, judging from what I hear, the depleted Treasury can use that \$52,922,624 at this time.

Mr. WILLIAM T. PHEIFFER. It is a credit against this appropriation?

Mr. JOHNSON of Oklahoma. In effect; yes.

Now, I know what you gentlemen want to hear. You want to know the exact figures—how much the appropriation has been cut.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. FITZPATRICK. The gentleman did not mention the Bituminous Coal Commission. There was \$1,500,000 turned in last year, and this year it will come close to \$3,000,000.

Mr. JOHNSON of Oklahoma. Yes; I thank the gentleman for reminding me. The fact is there are several other items that I failed to mention specifically. I have, however, placed the itemized statement in the Record giving that information in some detail.

The Budget estimates considered for the fiscal year 1943 by the committee amounted to a total of \$180,317,266.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 10 additional minutes.

The committee recommends appropriations totaling \$162,634,845. You will note that the amount recommended by the committee effects a reduction under the Budget estimate of \$17,662,421.

The bill provides a reduction under the 1942 appropriation of \$75,466,435.

Mr. HARRIS of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Arkansas.

Mr. HARRIS of Arkansas. Is the greater part of this reduction due to the reduction of appropriations for special projects, or is a percentage of it also with reference to the operation of the Department?

Mr. JOHNSON of Oklahoma. I may say to the gentleman from Arkansas that it is both a reduction of projects and other agencies. I will discuss reduction of travel pay later, but suffice to say this has been drastically reduced. The committee, as it were, went through this bill with a fine-tooth comb and reduced it wherever it was humanly possible to do so, without seriously impairing the efficiency of the agency or activities in question.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. HOPE. I noticed in hurriedly going through the brief résumé in the back

of the report that there were several items for increases in salary for various purposes. Will the gentleman explain that if he has not already done so?

Mr. JOHNSON of Oklahoma. I may have mentioned the fact to the committee a while ago that in every agency the committee allowed, of course, for Ramspeck promotions, for there was nothing that could be done about that and I believe there is nothing that either the committee or the Congress wants to do about that. Aside from the Ramspeck promotions, however, I believe the gentleman will find few if any increases in salary in the bill. On the other hand we eliminated salaries; in fact, nearly every proposed new salary was eliminated.

Mr. HOPE. I notice an item in the Secretary's office for salary increases of \$62,000 above the last fiscal year. Is that brought about by the Ramspeck Act?

Mr. JOHNSON of Oklahoma. No; not altogether. That is brought about largely because the Division of Investigation of the Interior Department has been eliminated altogether and transferred to the Secretary's office, as the gentleman will see if he will turn to page 18 of the report. Does that explain what the gentleman has in mind?

Mr. HOPE. Then that does in large measure account for the increase in salary in the Secretary's office.

Mr. JOHNSON of Oklahoma. The gentleman is correct.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. WILLIAM T. PHEIFFER. I think it is rather germane to the general explanation of the bill which the gentleman is so admirably making to call attention to a notification of a project which came to my desk just a few days ago, in fact, under date of March 16, the sponsor being the Department of the Interior National Park Service. It seems to me it bears directly on the item of \$208,000 for the administration, protection, and maintenance, and so forth, of the national historical parks and monuments. This item is for \$69,050 and is to improve buildings and facilities and grounds at the Statue of Liberty National Monument on Bedloe's Island, New York Harbor. It seems to me this item should more properly be considered in connection with the appropriation of \$208,000 carried on page 115 of the bill for the very same thing.

Mr. JOHNSON of Oklahoma. I may say to the gentleman from New York that an item for construction at the Statue of Liberty was eliminated by the committee, on the theory that it is not such an urgent necessity that it cannot wait awhile.

Mr. WILLIAM T. PHEIFFER. That clears that up then.

Mr. JOHNSON of Oklahoma. As I recall there was a Budget estimate for it, but the committee eliminated that as it did many other construction items.

Mr. WILLIAM T. PHEIFFER. Consequently there is no duplication as between the Work Projects Administration program and the Department of the Interior program.

Mr. JOHNSON of Oklahoma. The gentleman is correct. As the gentleman from New York [Mr. FITZPATRICK] mentioned a moment ago, the committee made a substantial reduction in funds for the Bituminous Coal Commission. We have recommended a cut in this agency amounting to \$178,246, yet this is one of the few agencies that brings substantial revenues to the Government.

Mr. HOUSTON. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Kansas.

Mr. HOUSTON. Does not the gentleman believe that is a pretty severe cut, in view of the fact that, as just stated, they are likely to have an income of about \$3,000,000 in revenues?

Mr. JOHNSON of Oklahoma. Yes; I agree that it is severe, and, frankly, that is exactly what the committee has endeavored to do this year in connection with this as well as other activities in this bill.

Mr. HOUSTON. It is a false economy and going a little too strong.

Mr. JOHNSON of Oklahoma. Possibly so. Some members of our committee think we have cut too drastically in this as well as other agencies. I may say to the gentleman that, in my opinion, there are many items in this bill that are cut severely, but again I must say that it was done deliberately, not as a slap or criticism of this or that agency. I believe the time has come when the Congress must cut and cut to the bone, and then cut again, especially in all nondefense activities.

Mr. HOUSTON. There is another item that I notice has been cut. That is in Indian schools. Does the gentleman offhand remember how Haskell was treated in that?

Mr. JOHNSON of Oklahoma. I will discuss the Indian Service presently; however, I am pleased to say in reference to Indian schools that Haskell got about the same appropriation that it received last year. There is no change in the appropriation and although living conditions are higher they will simply have to pull in their belt at Haskell, like everybody will have to do every place else, and live on a little less, as their contribution to the war effort.

This bill was originally cut about \$50,000,000 below the 1942 appropriation by the Bureau of the Budget. This original Budget came into the Department the day—the Saturday before Pearl Harbor. A cut of \$50,000,000 seemed so severe to certain department heads and others. Now, let me give you a bit of history with reference to this Interior bill.

I know there are some Members of the Congress who do not particularly admire the Secretary of the Interior.

They may not like the way he parts his hair or they may not have liked some statements he has made in reply to those who have crossed swords with him in debate, but let me tell you what he did. On Sunday when he heard about Pearl Harbor, he did not wait until Monday. Nor did he wait for orders from anyone, not even Congress. Secretary Ickes immediately put the Interior Department on a war basis. On Monday when ordinarily

one in his position might have complained about the \$50,000,000 cut below what it had taken to operate the Interior Department the current year, the Secretary of the Interior said, "We are going to voluntarily take another \$10,000,000 cut."

Did you ever hear of a Federal governmental agency doing that before? You never did. I will tell you why. Because it is the first time in the history of the Federal Government—and I measure my words—when any Federal agency or department ever voluntarily asked the Budget to cut them \$10,000,000 below any Budget estimate. Since that time some other agencies have followed the example of the Secretary of the Interior but up until then no other Federal agency or department or activity had ever done any such thing.

So when the Secretary and his representatives came to our committee and presented their bill it was not \$50,000,000 below last year's figure but, in round figures, a cut of \$60,000,000. Our committee, after hearing the evidence and after running through this bill, as I say, figuratively speaking, with a fine-toothed comb, reduced it still another \$17,700,000.

Mr. HOUSTON. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Kansas.

Mr. HOUSTON. I notice another item here—coal and mining inspection and investigation, a reduction of \$61,000. Does that affect the safety of the inspection of mines at all?

Mr. JOHNSON of Oklahoma. Well, the committee felt that inasmuch as this is a new service it could take this drastic reduction without seriously interfering with the efficiency of the Department.

Mr. HOUSTON. I hope it works out all right, but that is a very serious matter. We have had a lot of losses in the last few years.

Mr. JOHNSON of Oklahoma. Again I must agree with the gentleman from Kansas that it is a very serious matter, and is a very drastic cut.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 10 additional minutes.

Mr. ROBERTSON of Virginia. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Virginia.

Mr. ROBERTSON of Virginia. I have not been able to analyze where the cuts in the Fish and Wildlife Service will be principally applied. I have heard a rumor to the effect that one cut will necessitate the closing of 12 fish hatcheries now being operated; is that correct?

Mr. JOHNSON of Oklahoma. I regret to tell the gentleman that the rumor is well founded. It will necessitate the closing of some 12 fish hatcheries. Now, I think fish hatcheries are splendid activities; I believe that they can be justified from any viewpoint. Furthermore, in my judgment they could even be justified in time of war on the basis that there might be a shortage of food supplies; but, on the other hand, considering there was no Budget estimate for the hatcheries proposed to be closed,

the committee felt that among the many activities and agencies of the Department that no serious results would come from temporary closing of those hatcheries.

Mr. ROBERTSON of Virginia. Will the gentleman state how much the committee proposes to appropriate for the operation of the fish hatcheries?

Mr. JOHNSON of Oklahoma. I do not have the exact figures at my fingertips, but I am sure you will find them in the hearings.

Mr. ROBERTSON of Virginia. I have another question based upon that.

Mr. JOHNSON of Oklahoma. Looking at the report, on page 43, column 3, the gentleman will find that \$906,715 is being made available for the propagation of food fishes next year.

Mr. ROBERTSON of Virginia. Nine hundred thousand dollars?

Mr. JOHNSON of Oklahoma. Nine hundred and six thousand dollars, which is a reduction of \$162,840.

Mr. ROBERTSON of Virginia. That is the point I want to raise. You take \$100,000 from the Fish and Wildlife Service, which is the old Bureau of Fisheries and the old Biological Survey, curtailing a benefit to all the people, in order to continue the payment of \$700,000 for the shooting and trapping of coyotes in the West. That is something that I cannot understand in effecting an economy in this program.

Mr. JOHNSON of Oklahoma. I am not surprised at what the gentleman says. We may talk rigid economy and think we are economy minded. When it is proposed to reduce or curtail any agency of Government in which Members are familiar with and are personally interested in, well that is a horse of a different color. I do not mean to be critical. I know the gentleman has had an important part in getting some of these hatcheries started and maintained, and I commend him for it, and yet, as important as they are, they might wait for awhile as a contribution to an all-out total war effort.

Let me say, however, in answering the gentleman's question, that the item for trapping coyotes in the West and Middle West has also taken a tremendous cut.

Mr. ROBERTSON of Virginia. Sixty thousand dollars.

Mr. JOHNSON of Oklahoma. That is the reduction by the committee. I might add that the trapping of coyotes and other predatory animals, which the gentleman apparently feels is of such little importance, affects a majority of the States of this Union. The gentleman might have difficulty convincing cattle and sheep raisers that the trapping of coyotes and wolves that prey on their sheep and cattle is of such minor importance.

Mr. ROBERTSON of Virginia. I do not criticize any cut on a reasonable basis in a peacetime nonessential—from the standpoint of war—activity. I raise no issue about your cutting the appropriation for the Pittman-Robertson Act \$1,000,000. I raise no question about the general reduction in this item. The point I raise is, Why appropriate to the Fish and Wildlife Service \$700,000 for the stockmen of the West, when everybody

at all familiar with how the money is expended knows that it is an expensive kind of operation to spend \$700,000 in that way, and in order to maintain that expenditure cut something else that affects practically the whole Nation and affects a fish supply that, if once too badly depleted, we may be years and years in bringing back again? It is not that I question the cuts, it is the discretion you have exercised as to where the cuts should be made.

Mr. JOHNSON of Oklahoma. I think if the gentleman had listened to the testimony of the representatives from the Bureau of Fisheries and had the full facts that he probably would agree that the committee did the best it could, considering there was no Budget estimate for any of the hatcheries to be closed. The total cut in the rodent-control item was \$249,300, which includes a cut of \$65,000 by the committee. The amount recommended by the committee provides a sum 50 percent less than was appropriated for this purpose 2 years ago.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Michigan.

Mr. DONDERO. The statement the gentleman made with regard to eliminating 12 fish hatcheries in the country challenged my attention. As the gentleman knows, I come from Michigan. We have more than 12,000 inland lakes in that State. It is a great recreational State. There is only one Federal fish hatchery in Michigan. I rise to inquire whether or not you eliminated that one. It happens to be within my congressional district.

Mr. JOHNSON of Oklahoma. I may say to the gentleman that I share his anxiety, since one of the Federal fish hatcheries happens to be situated in the district I represent in Congress. I must confess I do not know. As far as the record shows, however, there is no information that the gentleman's hatchery is one of the hatcheries that may be scheduled to be closed.

Mr. DONDERO. In other words, the Federal hatchery at Northville, Wayne County, Mich., is not to be eliminated?

Mr. JOHNSON of Oklahoma. I cannot give such assurance, though I wish I could. That is, of course, up to the Fish and Wildlife Service.

Mr. LELAND M. FORD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from California.

Mr. LELAND M. FORD. We realize the responsibility you men feel in trying to make these cuts, and generally we want to make them. On the other hand, in connection with fish hatcheries and similar activities, we must proceed on the premise that they must have been reasonable and desirable expenses to begin with or they never would have been in the bill.

Mr. JOHNSON of Oklahoma. That is correct.

Mr. LELAND M. FORD. Inasmuch as that is true, and insofar as we go back and look at the record—and I represent California, where there are thousands of lakes in the mountains and where there are also commercial fisheries along the

coast—we find that the number of fish has been dropping, that there have been fewer and fewer and fewer of them every year. I know that from my own personal knowledge and what I have been told by others. There have been tremendous losses in the stock of fish. Does the gentleman think it wise to cut this appropriation, which may possibly result in wiping out these fish in many instances, particularly in view of the fact that fish is a food source?

Mr. JOHNSON of Oklahoma. I would dislike very much to see any fish hatchery in the United States closed that can actually justify its existence, where the local people are cooperating, and where it has been successful. I am very much in favor of fish hatcheries. I believe in them. I think there is nothing that the local people appreciate more than fish hatcheries.

Mr. LELAND M. FORD. May I observe that perhaps cuts should not be made horizontally. I think there is a more intelligent way to make them than to go into the final effect this will have on the cost of this particular Department. If we wipe out these fish, think what it will cost eventually to restore them. This either is or is not a necessary function. If it is necessary, it should be kept. I make the suggestion that the committee give further thought to this matter.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 10 additional minutes.

May I make this general statement in reference to fish hatcheries. Let me again emphasize the fact that your committee did not arbitrarily withhold funds from 12 fish hatcheries in order to close them. I repeat that there was no Budget estimate for those 12 hatcheries and as I recall of the 30 Members who appeared before the committee only 1 Member, as I recall, the gentleman from Arkansas, even mentioned fish hatcheries.

Mr. LELAND M. FORD. There was no Budget estimate at all?

Mr. JOHNSON of Oklahoma. That is correct. There was no Budget estimate for the 12 fish hatcheries, and I may say that neither the Bureau of the Budget nor the Department gave the committee a list of the hatcheries that it proposed to close.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Nebraska.

Mr. STEFAN. Can the gentleman tell me on what page of the hearings I can find what 12 hatcheries are to be eliminated?

Mr. JOHNSON of Oklahoma. That is impossible. The committee was not supplied with that information.

Mr. STEFAN. That is in the discretion of the Department?

Mr. JOHNSON of Oklahoma. Yes; it is in the discretion of the Department. Possibly the Department itself does not now know. It is only fair to say that this suggestion was not made to the Budget on the part of the Bureau of Fisheries.

Mr. STEFAN. Of course, the people want cuts made in every category that

represents nondefense items wherever they can possibly be made. We are all agreed on that, but I want to ask the gentleman a question about these cuts. Has there been anything done that will deprive the people of my State of stocking their lakes and streams with fish?

Mr. JOHNSON of Oklahoma. Of course, if the gentleman has a fish hatchery, and that hatchery should happen to be closed along with 11 other big fish hatcheries that will be closed, it may deprive some of his citizens from having as much fish in the future as in the past. That is conceivable and it will happen in my State, I am sure, as well as in other States.

Mr. STEFAN. The gentleman knows that in his own State and in my State we have had a drought, but rains have now come back to us again and lakes have been filled and people have just begun stocking these streams and lakes. We send applications to the Bureau of Fisheries for fish when the people back home send us the applications. We are just beginning to stock these streams and lakes. I agree with my colleague from Virginia that if we stop now the people in Nebraska and in your State and in some other States who have just begun rehabilitating and stocking these streams will have done a lot of things that are never coming back to them again. The people who live on the coasts and in the States that have a lot of lakes do not realize what it means to us in Nebraska to have water come back again and have lakes again and have fish again. We in the Middle West like fishing. But we will forego some of our pleasure if we are sure we are not being discriminated against. We are for everything that will help win the war. But give us equal treatment with other States.

Mr. JOHNSON of Oklahoma. I agree with the gentleman in his splendid statement and also in his conclusions.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to my friend from Mississippi.

Mr. RANKIN of Mississippi. I was astounded at the gentleman's statement to the effect that the Bureau of the Budget had decided to close some of these fish hatcheries and did not condescend to tell Congress which fish hatcheries they were going to close, although these fish hatcheries and the Budget are all creations of the Congress. Now the people are appealing to us to represent them and to maintain democracy, which means representative government. Does not the gentleman think it is time that the Congress looked after these changes that are being made with reference to these institutions of long standing that have proved of such great benefit to the people in the various States?

Mr. JOHNSON of Oklahoma. I agree with the gentleman but I am sure the gentleman understands that the Bureau of the Budget did not appear before the committee.

Mr. RANKIN of Mississippi. That is true, but I do not believe the Bureau of the Budget has the right to dictate to Congress about killing enterprises that the American people want and that they

are willing to pay for and that Congress has created. I would like to see some of the \$16,000,000 that was appropriated the other day for travel pay for the Department of Agriculture used to maintain these fish hatcheries that have proved their worth. I do not think the Congress ought to capitulate and let the Bureau of the Budget destroy them.

Mr. JOHNSON of Oklahoma. Again I agree with the gentleman and I may say that when we reach the amendment stage in the consideration of the bill the gentleman will have an opportunity to offer an amendment to the bill.

Mr. RANKIN of Mississippi. Let me say to the gentleman that I respect his opinion and I am very fond of him, as he knows. I have great confidence in him and often follow his leadership, and I will be delighted to follow his leadership now if he will offer an amendment to put these funds back into the bill for the retention of all these fish hatcheries that are now in operation.

Mr. JOHNSON of Oklahoma. I wish I could assure the gentleman I could do so, but a majority of the committee might not agree with me.

Mr. RANKIN of Mississippi. Will the gentleman tell us just where in the bill this provision comes and the amount that has been stricken? I want to save money, but as the Negro preacher said, I do not want to "strain at a gnat and swallow a camel."

Mr. JOHNSON of Oklahoma. If the gentleman will look up the item in the bill under the caption "Propagation of food fishes," he will find where he can offer such an amendment. If the members of this Committee agree with the gentleman—and he has very persuasive powers and I may say is a man of power on this floor—he will have an opportunity to raise the amount for this purpose in the bill. But I will say, in passing, I would a lot rather be criticized for cutting this bill too drastically than to have anybody say that we are sloughing off money and refusing to cut nondefense activities.

Mr. RANKIN of Mississippi. The amount, as I see it, is \$906,715.

Mr. JOHNSON of Oklahoma. Yes; that is correct.

Mr. RANKIN of Mississippi. And what was the amount last year?

Mr. JOHNSON of Oklahoma. It was \$1,069,555 last year.

Mr. RANKIN of Mississippi. Would that be a sufficient amount to carry on these activities for the coming year?

Mr. JOHNSON of Oklahoma. It would be more than enough and I will be glad to discuss with the gentleman the exact amount necessary if the gentleman wants to offer that amendment.

Mr. ROBERTSON of Virginia. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Virginia.

Mr. ROBERTSON of Virginia. Has the gentleman's committee ever gone into the question, with the stockmen of the West, of the most efficient and economical method of predatory control, the bounty system as compared with the employees of the Government getting \$200 or more a month and all expenses?

Mr. JOHNSON of Oklahoma. I think I may say to the gentleman that while there have been some statements in the past with reference to that matter, the committee has never made any detailed investigation along the line the gentleman has in mind.

Mr. ROBERTSON of Virginia. I hope at some future time when you can do so you will take some testimony along that line, because I believe we can save some money and get better results.

Mr. JOHNSON of Oklahoma. I thank the gentleman for his valuable suggestion, and I now invite him to appear before the committee and make any suggestions that he has whereby we can save a dollar. I know the committee would be persuaded to follow the gentleman's invaluable advice which all of us deeply appreciate.

Mr. DONDERO. Mr. Chairman, will the gentleman yield to me again?

Mr. JOHNSON of Oklahoma. Yes.

Mr. DONDERO. I want to be sure I understood the Chairman correctly when he said as to the amount that was eliminated, that there was not given to the committee a list of the 12 fish hatcheries that were to be eliminated from the schedule of fish hatcheries throughout the country. Is that correct?

Mr. JOHNSON of Oklahoma. Let me say again that no such list of hatcheries that are proposed to be eliminated was given to the committee. The amount of the appropriation, of course, is in the bill.

Mr. DONDERO. That is the amount that has been decreased.

Mr. JOHNSON of Oklahoma. Yes.

Mr. MURRAY. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. MURRAY. In view of the fact that the gentleman from Oklahoma demonstrated his desire to cut nondefense expenditures in the consideration of the agricultural appropriation bill last week, I ask him if he would be willing to tell us about this money for irrigation, realizing that during the past 2 years, without any criticism of irrigation as a system of agriculture, we have been appropriating five and ten times as much for irrigation as we did previously and at the same time we have been spending millions, up to billions, of dollars to curtail production. I wish the gentleman would give us a little information on that.

Mr. JOHNSON of Oklahoma. The gentleman raises a very interesting issue. I doubt whether he and I could reach an agreement in the next few minutes or hours with reference to the agricultural appropriation bill. I have not always been in accord with certain features of the agricultural measures as they have passed this House, but I say this to the gentleman, that, so far as irrigation projects are concerned, there has been a considerable amount of money spent by the Government to construct and maintain them, and there will be more money spent in the future.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 10 minutes

more. The gentleman's argument in peacetimes might be sound, but I am very much of the opinion that it would not be wise to curtail production if we are going to win this war. Of course, all of us know that we are going to win the war, and I have no patience with those who say that we might lose it, because America will never live in a world dominated by either Nazis or Japs. But we are not going to win this war solely with battleships, planes, powder, or guns, or torpedo boats, important as they all are. We are going to win this war when the Axis Powers run short of food and materials, and then God help America if we are in the same situation. That must not be. Yet I am fearful that the time is not far distant when the United States of America is likely to be found short of many food supplies that we now need unless we make sure that it does not occur.

Mr. MURRAY. That does not answer the question. I would like to know how this \$70,000,000 compares with the other appropriations.

Mr. JOHNSON of Oklahoma. I say to the gentleman that, so far as reclamation projects already in operation are concerned, the committee followed the Budget estimate more generally than it has in many other of the items. For instance, a reclamation project might have 10,000 additional acres within its scope, which it is proposed to have operated next year. The committee in some instances has felt it would be justified in providing for the continuation, and in some cases for the expansion of some of those reclamation projects. If the gentleman will examine the bill, however, he will find that practically every dollar of increase in the bill is for power development. I have in my possession a letter, which I cannot put in the Record, of a confidential nature, from a responsible governmental agency advising that there is now a serious shortage of power in the United States, so serious that I will tell the gentleman off the record what it means in the reduction in the building of certain elements of vital importance in speeding up production and winning the war.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Certainly.

Mr. CRAWFORD. I am very much interested in the gentleman's observation about the shortage of food. For a year or more I have felt that we would have a tremendous shortage in this country. Can the gentleman give us the benefit of his thought upon that, as to what he thinks will be the primary cause of the shortage?

Mr. JOHNSON of Oklahoma. To begin with, it is the war, which is No. 1.

Second, I would say that many, many workers will be called into the Army, the Navy, the air forces, and into the industrial centers, thereby taking them from the farm. There is now developing a very serious shortage in certain agricultural areas.

Mr. CRAWFORD. Shortage of farm labor?

Mr. JOHNSON of Oklahoma. Shortage of farm labor.

Mr. BENDER. Will the gentleman yield to me?

Mr. JOHNSON of Oklahoma. I yield.

Mr. BENDER. The gentleman made the point of there being a shortage of power. Is it not possible to generate power by the use of coal?

Mr. JOHNSON of Oklahoma. That is correct. I may say that generally the production of power by coal is equally as cheap or cheaper than water power, provided an abundance of coal is available at or very near the power plant in question. But that situation is not always possible in many areas.

Mr. CRAWFORD. Will the gentleman yield for one other question?

Mr. JOHNSON of Oklahoma. I yield.

Mr. CRAWFORD. Does the gentleman feel that our obligations as to food under the Lend-Lease Act places upon us an absolutely unknown factor insofar as food requirements are concerned?

Mr. JOHNSON of Oklahoma. Oh, I think that is undoubtedly true. Of course, we know that we have sent to the Old World, especially to our Allies, several million tons of food. I am thankful that we had the food to send.

Mr. CRAWFORD. Three and one-half billion pounds.

Mr. JOHNSON of Oklahoma. I am glad we sent it, but, of course, I think our first obligation is to feed our own people and to see that there is no shortage of anything essential to winning the war.

Mr. CRAWFORD. And to count the cost?

Mr. JOHNSON of Oklahoma. Certainly.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. STEFAN. I want to finish the colloquy on fish.

Mr. JOHNSON of Oklahoma. I imagined the gentleman would come back to that.

Mr. STEFAN. I want to ask the gentleman, who is a very fine statesman—

Mr. JOHNSON of Oklahoma. I thank the gentleman. I appreciate that. It is like when my wife used to tell me she thought I was good looking. I was very suspicious that she did not mean it, but I appreciated it just the same.

Mr. STEFAN. But I do mean it. The gentleman and I have worked together on much legislation in which we had a common interest. He has helped me many times on good farm legislation. But I just wanted to finish the colloquy on fish. I wanted to be sure that there is nothing in this bill by which we are expending money for the propagation of fish or the stocking of streams with fish from the United States in Central or South America, a thing which we have done heretofore. The gentleman's committee has eliminated considerable money for cultural work among the foreign Indians in their various activities. I would rather help the American Indian first. Is there anything in this bill by which we are expending money for the propagation of fish in Central and South America?

Mr. JOHNSON of Oklahoma. I will say to the gentleman there is not a line of testimony nor a sentence in this bill that would so indicate.

Mr. STEFAN. I am happy to hear that because we in the Committee on Appropriations for the Department of State had some of that activity, and the committee was wise enough to eliminate some of it. Now, the gentleman has discussed very ably the proposition that there may be a great food shortage in this world. I want to say that I agree with him in everything he had to say, including the statement that we are going to win this war.

The question of food will have a great bearing on that victory, because it has been my own experience, and I wish to tell my colleagues of it, in foreign countries when war was raging to see the peasants and the old people who were left back home searching the fields of Europe for that last head of wheat or that last head of barley because the last gleanings meant a badly needed loaf of bread. There is a food shortage in Europe now. People there have been crying for food a long time. Many have already died there because they had no food. There is a great food shortage in the Far East where some of us have seen the beggar boats of China gather around the ships that came into harbor. Hungry people with their nets, trying to catch just a little bit of food that is thrown away. Those food ships come there no more. Those particular hungry people have no more food. Thousands upon thousands have died. Many more thousands will die. I wish to tell the able chairman of this subcommittee that we in America do not yet realize how precious food will be in the future. We are wasteful and do not appreciate our farm producers. We are throwing into the slop barrels of America enough food to feed hundreds upon hundreds of thousands of people in foreign countries who are hungry today. Don't underestimate the great store of food our farmers have produced for you. We thank God for it.

The gentleman has indicated that labor might have something to do with that. He and I, coming from farming sections, know that we may have a shortage of farm labor.

I want to ask the gentleman if he has told the membership of the committee anything about that section of the bill which will be found on page 80 and which in my opinion is subject to a point of order, which has something to do with the moving of Japanese away from the west coast—Japanese who might be brought into some parts of my State. My people may not want those Japanese. I would like the gentleman to explain just what this section means.

Mr. JOHNSON of Oklahoma. I will say to the gentleman it was certainly not with any degree of pleasure that any member of this committee voted to put that particular item in the bill.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 10 additional minutes.

The CHAIRMAN. The gentleman has consumed 1 hour.

Mr. BENDER. Mr. Chairman, a point of order. I suggest the absence of a quorum.

Mr. JOHNSON of Oklahoma. I hope the gentleman will withdraw that re-

quest. We want to get through and start reading the bill today, if possible. I want to discuss that just a moment. Will the gentleman kindly withdraw it, at least for the moment?

Mr. BENDER. I will withdraw it, but we ought to have a larger audience present.

Mr. JOHNSON of Oklahoma. Well, I am sure there is a quorum present. However, some committees are in session and Members know they can inform themselves about this bill by reading the RECORD and hearing the discussion under the 5-minute rule tomorrow and possibly Thursday.

I ask unanimous consent, Mr. Chairman, to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I hope I may be able to conclude in 10 additional minutes. I would like to explain this one situation before I yield.

I said a moment ago that no member of the committee took any pleasure in putting that in the bill. I do not feel I ought to go into detail and say why it is in the bill further than to say it came as a special and we felt an urgent request. If you will read this morning's paper you will find that some 20,000 aliens and others are being shipped into certain areas, and I believe you will understand why it was necessary to put this in the bill without further discussion of details.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield right there?

Mr. JOHNSON of Oklahoma. I yield.

Mr. HOUSTON. I understood the gentleman to say there is a shortage of farm labor.

Mr. JOHNSON of Oklahoma. That is right.

Mr. HOUSTON. We all know that is true, we all know there is a shortage of farm labor. Why do we not curtail the activities of the N. Y. A. and the C. C. C. under present conditions?

Mr. JOHNSON of Oklahoma. Well, I do not care to go into that now. I am strong for a drastic reduction for all non-defense activities, but surely the gentleman understands that the N. Y. A. does not fall in that category. It is today a defense agency. Every nondefense activity in the N. Y. A. in every State of the Union, so I am officially advised, was some time ago ordered eliminated—not curtailed but eliminated. In my State, for instance, and I assume it is the same in the gentleman's State, practically the only activities left in N. Y. A. are the master shops, where thousands of ambitious young men have received excellent training under seasoned, well-trained foremen. These master shops have turned out several hundred fine young men in recent weeks who have gone to Wichita, Kans., the gentleman's home city, a city that is a seething beehive of industrial activity. I wonder if my good friend, the distinguished gentleman, has in mind the training of those master shops as one of the activities he proposes to curtail?

Mr. HOUSTON. Oh, I am in favor of keeping any defense activity going.

Mr. JOHNSON of Oklahoma. I thought the gentleman would be in favor of that. The fact is it would be a very serious blow to the several defense industries in his home city if the defense training program in Kansas, Oklahoma, and other nearby States were suddenly cut off.

Mr. HOUSTON. But as to the C. C. C. camp in my district, when they moved the camp out of there they burned the mattresses and sawed the handles off the shovels. Does the gentleman think that is good business?

Mr. JOHNSON of Oklahoma. No; of course not.

Mr. HOUSTON. That is why I want it eliminated.

Mr. JOHNSON of Oklahoma. Well I know how the gentleman feels; they moved my C. C. C. camps also. After July 1, however, I am told they will all be eliminated except those on military reservations.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. STEFAN. If this particular section of the bill was made for defense purposes I, of course, am not going to raise a point of order against it. The reason I call the gentleman's attention to it is because I believe the membership of the committee should know something about it. So far as I am concerned I do not believe the people in my State would like to have a lot of Japs come in on them.

Mr. JOHNSON of Oklahoma. I agree with the gentleman. I do not believe the people of my State would like it either.

This particular item was put in with the approval and, I believe, at the suggestion of the National Reclamation Association.

Mr. SMITH of Ohio and Mr. LELAND M. FORD rose.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I am very hopeful of concluding in 10 minutes. I do not want to speak too long. I yield first to the gentleman from Ohio.

Mr. SMITH of Ohio. I am trying to reconcile some of the January Budget figures with the committee's figures. Can the gentleman from Oklahoma tell us the approximate amount that will be devoted to power in this bill?

Mr. JOHNSON of Oklahoma. It would have to be a guess on my part. The gentleman from Washington [Mr. LEAVY] will discuss this within a few minutes. My guess would be approximately \$50,000,000.

Mr. SMITH of Ohio. The estimate contained in the Budget submitted by the President in January was \$71,297,000 for total Interior Department appropriations.

We have an appropriation before us of \$162,634,000 or a little more. I am trying to find out what constitutes the difference in these figures.

Mr. JOHNSON of Oklahoma. I do not quite understand what figures the gentleman refers to.

Mr. SMITH of Ohio. The estimate of appropriations given by the President in January

Mr. JOHNSON of Oklahoma. From what page in this is the gentleman reading?

Mr. SMITH of Ohio. I am referring to the 1943 Budget estimate submitted by the President in January.

Mr. JOHNSON of Oklahoma. For what?

Mr. SMITH of Ohio. For the Department of the Interior. The total amount was \$71,300,000.

Mr. JOHNSON of Oklahoma. You mean for the Interior Department in its entirety?

Mr. SMITH of Ohio. That is right.

Mr. JOHNSON of Oklahoma. I fear the gentleman is mistaken.

Mr. SMITH of Ohio. Then I do not understand the figures.

Mr. JOHNSON of Oklahoma. The gentleman has the wrong figures. The estimate was \$180,000,000.

Mr. SMITH of Ohio. That is the estimate the gentleman has here, but that certainly is not the estimate contained in the January Budget. The figure in the January Budget is \$71,297,366.

Mr. JOHNSON of Oklahoma. I have not the slightest idea what figures the gentleman is reading.

Mr. SMITH of Ohio. I am reading from the Budget submitted in January.

Mr. JOHNSON of Oklahoma. A few supplemental estimates came in since the Budget figures were submitted. But I am quite sure the gentleman is confused.

Mr. SMITH of Ohio. Possibly I can show the gentleman the figures to which I refer.

Mr. JOHNSON of Oklahoma. We will settle this once and for all. If I am mistaken, I am willing to be corrected.

Mr. SMITH of Ohio. I am wondering whether the estimates of appropriations that the committee refers to in its report may not in some respects be different than the estimates given by the President in his Budget.

Mr. JOHNSON of Oklahoma. The only Budget I have seen is the one that came to the committee, and the figures are exactly as I have given them, \$180,000,000 plus.

Mr. SMITH of Ohio. I wish the gentleman to understand that I am not questioning his figures. I am merely trying to reconcile them with the January Budget figures.

Mr. JOHNSON of Oklahoma. I may say to the gentleman that the figures he has here were not submitted to our committee and, of course, they would not be in line with the appropriations for last year. The figures the gentleman gives do not take into consideration the public works appropriation, the appropriations in the public works chapter of the Budget.

Mr. SMITH of Ohio. The gentleman does not remember what that amount is?

Mr. JOHNSON of Oklahoma. Yes; I can give the figures to the gentleman. That figure is \$116,346,875. Add that to the \$71,000,000 and I think he will find that \$180,000,000, exactly as I gave it to him, is correct. Now, I wonder if I may be permitted to conclude without interruption. Later I will be glad to answer any questions.

The members of the committee are unanimous in the feeling that we should retrench expenditures which are not directed to war efforts. In this connection let me discuss briefly the rather drastic reductions in travel. I will give you some figures of reduction in travel expenses. [Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, as much as I regret to do so, I must ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma [Mr. JOHNSON]?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, travel expenses for the next year have been reduced for the Bituminous Coal Commission alone \$65,000. The total travel reduction, which I believe I gave you awhile ago, was \$571,000. The travel item has been cut by the committee nearly 20 percent.

The soil and moisture item has been referred to as a nondefense item and therefore some have suggested that it also be drastically cut. The committee heard witnesses with reference to that work and decided it is doing a very splendid job. They administer 279,000,000 acres of land. Think of that, 279,000,000 acres of land in the Grazing Service, the Park Service, the Land Office, the Indian Office, the Bureau of Reclamation, and the Fish and Wildlife Service. A large portion of this vast area is very seriously eroded. Much of such land is situated on the Colorado River shed above Boulder Dam. The committee was advised that 100,000 acre-feet of soil have been washed into Lake Mead above Boulder Dam since its construction. The committee feels that every possible precaution must be taken to stop this threat on the continued value of the dam.

The General Land Office. The gentleman from California [Mr. CARTER] will probably discuss that in some detail. May I say that this is another one of the Federal agencies in the Interior Department that is saving money to the Treasury. Last year it turned into the Treasury \$7,000,000.

We now come to the Bureau of Indian Affairs, which I will discuss only briefly. We have cut \$718,000 from this Bureau. We have eliminated funds provided in the estimate for the National Indian Institute which was mentioned a few moments ago. I believe by the gentleman from Nebraska. I may say to the gentleman that the committee after hearing the evidence decided to eliminate every dollar asked for by the Indian Service and recommended by the Bureau of the Budget. So there is not a dollar of appropriation in this bill for proposed Indian culture in South America or Mexico. We are much more interested in Indian culture in the United States of America.

Mr. STEFAN. I want to commend the gentleman and his committee for that attitude.

Mr. JOHNSON of Oklahoma. I thank the gentleman.

Mention has been made that the Bureau of the Budget suggested that one lump-sum appropriation be made for 18

Indian schools. This is not the first time the Bureau of Indian Affairs and the Budget have made such suggestions. The fact is that in 1934 the Bureau of the Budget sent to our committee a Budget estimate proposing to make the entire appropriation for the Indian Service in just a few, probably 8 or 10, lump-sum appropriations. Every year without exception the committee has refused to yield to the demand on the part of the Indian Service to make these lump-sum appropriations.

The main proposed lump-sum appropriation in this bill, so far as the Indian Office is concerned, was the proposal to put in 1 lump-sum appropriation item funds for the operation of 18 Indian schools. The Indian Office did not hesitate to tell us that it proposed to close 5 Indian schools, 3 of which had none but orphan Indian children, or children from broken homes. I am glad to advise that the committee refused to follow the suggestion of the Indian Service to make this lump-sum appropriation and we refused to follow the suggestions of the Bureau of the Budget. We made available funds to continue these little weak schools that are attended by the poorest children on the face of the earth. We took sufficient funds and from other departments and agencies to keep those schools going and made a sizable saving. One saving effected was to eliminate the funds requested for this Indian culture proposal.

The committee has not made an appropriation to continue the Leupp School and hospital in Arizona, because of a War Department request. While the committee was holding its hearings we got such a request. While the matter has not been finally determined we are reliably informed that the War Department will make use of this school and hospital.

I wish I had time to discuss the situation among the Indians in Alaska. Tuberculosis in Alaska is about 13 times as prevalent among the Indians as it is among the Indians of the United States and much more so than among other natives. It is many more times as prevalent, I understand, among Indians than among white residents in Alaska. That being true, it is a deplorable fact that there are only 32 beds available in one hospital for tubercular Indians in Alaska.

I may say here that last year the committee made available \$250,000 to construct a hospital in Alaska to meet this very urgent situation last year, but again the Bureau of the Budget decided that the committee did not know what was best, I assume, and in the name of economy impounded those funds, and that particular hospital has not been constructed.

I simply wish to express the hope here, as I did in the committee this morning and as I did before the subcommittee, that the Bureau of the Budget will find it feasible, practical, and humane to release the funds for that particular hospital in Alaska.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Has the gentleman any figures showing the percentage of active tuberculosis among the school children of Alaska?

Mr. JOHNSON of Oklahoma. I do not have that percentage, but I know it is alarming.

Mr. CRAWFORD. I wonder if the Delegate from Alaska can answer that.

Mr. JOHNSON of Oklahoma. The Delegate from Alaska is here and will no doubt discuss the matter somewhat in detail later and answer any question the gentleman may propound. The gentleman may be able to answer the gentleman's question now; and if so, I yield to him for that purpose.

Mr. DIMOND. I thank the gentleman.

As the chairman of the subcommittee has so well said, the incidence of tuberculosis among the native Indians, Aleuts, and Eskimos of Alaska is about 13 times as great as in the United States as a whole. The incidence of that dread scourge among the children is equally high. It is one of the most serious problems we have with respect to the natives of Alaska to try to check and finally wipe out the tuberculosis which now rages among them. I am profoundly grateful to the gentleman from Oklahoma for the effort he has so unselfishly put forth to help us secure funds to enable us to take care of this distressing condition among the natives of Alaska.

Mr. CRAWFORD. I think the official records will show that in Japan, which is somewhat similarly situated, the figures exceed 60 percent of active tuberculosis among school children.

Mr. JOHNSON of Oklahoma. In Japan? Well, as much as I despise the Jap war leaders, and as deeply as I feel that Japanese aggression must be destroyed, I would not want even our enemies to die with that dreaded disease of tuberculosis.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, again I am forced to ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from New York.

Mr. FITZPATRICK. I asked Mr. Collier or someone else connected with the Bureau of Indian Affairs as to the increase in the incidence of tuberculosis, and found that since the white man established his way of life in Alaska tuberculosis has increased. We should do something to eliminate it.

Mr. JOHNSON of Oklahoma. I thank the gentleman for his very splendid statement.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Michigan.

Mr. DONDERO. May I ask how that percentage compares with the percentage

of tuberculosis among the Indians in the United States?

Mr. JOHNSON of Oklahoma. It is about 13 times more than among the Indians in the United States, so I am advised.

I should like to discuss the road item for a minute. My distinguished colleague the gentleman from Oklahoma [Mr. CARTWRIGHT], the distinguished chairman of the House Roads Committee, and members of his committee, will be especially interested in this. The committee has made a reduction of \$1,302,000 in Indian road appropriations. For some years we appropriated \$5,000,000 for this important item. We were able to come before you and say that this \$5,000,000 would keep 10,000 or 15,000 unemployed Indians at work throughout the year. Year after year this item has been reduced. It came to us this year with a very substantial reduction. In spite of that, the committee, adhering to its determined policy to cut nondefense activities where humanly possible to do so, reduced this item of Indian road appropriations \$1,302,000.

The construction program for the Indian Service has been practically eliminated. Only \$366,000 is provided for all the construction work of its many activities, as compared with \$1,903,445 for the current year. Only items for essential repairs and to correct faulty sanitary and health conditions have been included in the bill.

Before I leave the Indian section of the bill, may I refer to one interesting discussion in the committee that I feel may be of interest to some Members. The discussion had to do with the service being rendered now to our country in the military and naval services by Indians of all tribes in many States of the Union.

Seventy-five Indians have been serving, and as far as we know are now serving, on the Bataan Peninsula, where General MacArthur and his brave men have made such a heroic stand. Most of these Indians are from Arizona, New Mexico, and Oklahoma.

You may be interested to know that General Tinker, who is in command of the air forces in Hawaii, is an Osage Indian, and was educated at Haskell Institute.

The Indian Bureau told our committee that it had information that the percentage of Indians of draft age who voluntarily joined the military forces is considerably higher than that of any other group in the entire United States.

I have discussed the Geological Survey briefly, and the Bureau of Mines, and touched on the Parks Service.

I may say that the Park Service is reduced to a greater extent than any other service. The total amount recommended is \$5,322,000, which is \$140,890 below the Budget estimate. This reduction in the estimates of \$140,000 is reflected by a reduction under the current appropriation bill of \$9,287,000.

You may be interested in knowing that the Travel Bureau, about which there has been some discussion in the past, had more than \$75,000 last year for the operation of that Bureau. Now, because

of the fact that the Nation is in the throes of war and it is reasonable to expect that travel will be curtailed drastically during the next year, the Travel Bureau item came to our committee cut from \$75,000 to \$20,000, and after hearing the witnesses the committee cut it again half in two. I may say for the benefit of my colleague the gentleman from Oklahoma [Mr. MONRONEY], who did a good job in his efforts to cut travel pay in another bill and who I believe was not present when I discussed travel pay, that the travel pay is drastically cut in this particular item, as it is in practically every other item in this bill.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from New York.

Mr. ANDREWS. Why do you not cut out the Travel Bureau entirely?

Mr. JOHNSON of Oklahoma. The committee, after hearing the representative of the Bureau, felt that it is rendering a service that would not justify its being eliminated entirely.

There is one item under the fish-and-wild-life service that I think I ought to discuss briefly. A while ago I discussed some other items in connection with this activity, but I want to refer now to one item where the committee cut \$1,000,000 for the Federal aid to wildlife restoration, a reduction of \$1,500,000 below the 1940 appropriation. While this fund is secured through a special tax for particular purposes and a bookkeeping credit is set up for it on the books of the Treasury, a full expenditure of receipts will work toward depletion of general funds in the Treasury and it is believed that the sports people of America will recognize the situation and will cooperate with the Congress in letting this fund accumulate until our financial structure is in a stronger condition. The question has been raised that this is not money from the Treasury, that these are funds received from the sports people of America and why cut the funds? It is in a similar position to that of a tribe of Indians who come before our committee and say, "You cannot cut our funds for this, that, or the other purpose because these are our own funds." I realize and appreciate the force of that argument, and yet after all, it is our responsibility and the members of the committee feel that we may forego the spending of some of these funds at this time in view of the war, and build up a spending fund here of several millions of dollars to be used in post-war days that we hope are not too far around the corner.

I have one more item to mention and that is with reference to territories which I am sure the gentleman from Alaska and others will discuss in detail. The committee has brought in an appropriation of practically the same amount for the islands as was recommended by the Budget. This includes Alaska, Hawaii, and the Virgin Islands, and as I have said, there are few changes.

In conclusion, let me say in a general way, as I stated at the outset, some of these cuts may be too drastic, and if so you will have an opportunity at the amendment stage of the bill to increase

them. Some of the items may not be cut enough, and if so I welcome an amendment from anybody who can find a place where they can further reduce this bill. But, on the whole, remembering the fact that the bill came to the committee \$60,000,000 below what it took to operate the same Department last year, and remembering also that this is the first department of the Government that voluntarily reduced its appropriations for next year after the Budget had made a drastic cut, it occurs to me that the committee has done a reasonably good job in further reducing the appropriations \$17,700,000 below the Budget estimate.

[Here the gavel fell.]

Mr. CARTER. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, what I shall say, perhaps, relates to what you might call the Interior, but not specifically to this Interior bill. I think the Congress is entitled to have the benefit of a situation which I discovered over the week end on a visit back to my State of Wisconsin. It relates specifically to a loophole that appears in the tire-rationing program of this country. If there is any one thing that is threatening the economic stability of our Nation than any other it is the tire-rationing program. It concerns almost every person in the country that has used the automobile as a means of conveyance.

Under the tire-rationing program there have been set up in all counties of this Nation tire-rationing boards. I will confine my remarks to the tire-rationing board in my own county, which is headed by a patriotic citizen who is devoting his time without pay in an effort to carry out the purposes of the tire-rationing program.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-two Members present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 49]

Baldwin	Gore	Marcantonio
Barry	Hare	Martin, Mass.
Beam	Hart	Merritt
Bishop	Healey	Mitchell
Boehne	Holmes	Myers, Pa.
Bolton	Hook	O'Day
Bradley, Mich.	Howell	Osmers
Bradley, Pa.	Jarrett	Pfeifer
Buck	Johnson	Joseph L.
Buckler, Minn.	Lyndon B.	Pierce
Buckley, N. Y.	Kee	Plauché
Byron	Kelley, Pa.	Ploeser
Cannon, Fla.	Kelly, Ill.	Rivers
Celler	Kennedy	Robinson, Utah
Clark	Martin J.	Sacks
Cole, Md.	Kennedy	Satterfield
Courtney	Michael J.	Scanlon
Culkin	Kilday	Schaefer, Ill.
Dies	Kleberg	Schulte
Dingell	Klein	Scrugham
Ditter	Kocalkowski	Shafer, Mich.
Domengeaux	Kramer	Shannon
Durham	Lambertson	Sherridan
Eaton	Lesinski	Short
Elliot, Mass.	Lewis	Smith, Pa.
Faddis	McGranery	Smith, Va.
Fitzgerald	McKeough	Smith, Wis.
Flannagan	McMillan	Stearns, N. H.
Gale	Maclejewski	Stratton
Gavagan	Magnuson	Sumner, Ill.
Gifford	Mahon	Sweeney

Thomas, N. J.	Vreeland	Weaver
Tolan	Wadsworth	Wene
Treadway	Walter	White
Voorhis, Calif.	Ward	Worley

The Committee rose; and Mr. McCORMACK having assumed the chair as Speaker pro tempore, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill H. R. 6845, found itself without a quorum, that he thereupon caused the roll to be called, when 331 Members answered to their names, and he handed in the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Wisconsin will resume.

Mr. KEEFE. Mr. Chairman, when I was interrupted I was discussing the question of tire rationing. We are all familiar with the fact that the Office of Price Administration is vested with authority to issue regulations with respect to the rationing of tires, and the Nation has been told that only those falling within the classifications set out in those regulations will be able to procure tires. I call to your attention a situation that has developed in my country, which I think offers a loophole in that law, which is causing grave concern and a great deal of discontent among the people of the Middle West. Under the regulations issued by Mr. Henderson's organization certain people in certain classifications may, upon application to the local tire administrator or the local tire rationing board, secure a certificate, which will permit them to go to a tire dealer and buy a tire. Among those falling within those regulations are farmers. Farmers are permitted to make application to the tire rationing board for tires to equip certain types of farm vehicles and equipment which are specified in the regulations. This situation has developed: For many, many years the manufacturers of farm vehicles have been selling in the open market through the farm-implement dealers types of light farm wagons, and to my certain knowledge those wagons have been sold to the farmers without tire equipment.

They have advertised the sale of those wagons to the farmers, advising them that if they will purchase a light farm wagon and can get hold of four old tires, if they will bring the tires into the shop selling the wagon the proprietor would mount the tires on the farm wagon, using pneumatic tires. The wagon itself is in the stock of the farm implement dealer. That has been a customary practice for years and years, and the practice has been for the farmer to buy a little light wagon, and then go out some place and get some second-hand tires with which to equip it. Every dealer in my district selling light farm wagons today, with the exception of the Sears, Roebuck Co., are continuing to maintain that practice. They all advertise and sell a standard light farm wagon that is built to be equipped with pneumatic tires, and they equip it with tires by going out and purchasing a used tire that is within the permitted class of tires that can be purchased without getting a certificate from

the Tire Rationing Board. What is Sears, Roebuck doing with the situation? They are advertising to the public, Come into our branch, and we will sell you a farm wagon at a cost of approximately \$147, and we will now sell you that wagon equipped with four standard new tires and tubes that are adapted to the use of an ordinary standard automobile. I said to the tire rationer in my county, "That cannot be possible, because the regulations have indicated that no new tires may be sold without a certificate from the Tire Rationing Board." He replied, "That is exactly what we thought the situation was—that is, as we interpreted the law—that if a farmer had bought the farm wagon and had come to the Tire Rationing Board for a certificate to enable him to furnish four new tires, we, under the regulations, give him that certificate, but as a condition of granting that certificate under the regulations, he would be required to sign an affidavit setting forth under oath that those tires for which the certificate is given by the Tire Rationing Board, are to be used upon that farm-equipment wagon and for no other purpose.

If he took those tires off of that wagon, having bought his tires through a certificate from the Tire Rationing Board and put them on his automobile, he would then be subjected to the criminal penalties that are provided in the law, and could be prosecuted. One such prosecution has resulted already in my district.

Now, that same farmer can go to Sears, Roebuck & Co., buy a farm wagon equipped with four standard automobile tires. He does not have to sign a certificate under oath to a Government official, such as the tire-rationing administrator. He is simply required to sign a little statement which does not put him within the provisions of the criminal act relating to this subject. He signs a mere statement that it is his intention to use those tires on that farm wagon. He takes the farm wagon home, takes off the new tires, and puts them on his car, and takes the old tires off of his car and puts them on the wagon, and thus by that subterfuge he has acquired a brand new set of tires without ever having gone near the Tire Rationing Board.

The situation has become so acute that traveling salesmen and others who are not farmers are now buying farm wagons from Sears, Roebuck & Co., getting four new tires, taking off the tires and putting them on their car, remounting them upon the farm wagon, and then selling the farm wagon, thus acquiring four new tires for less than they would have to pay if they got the tires from an ordinary dealer on a certificate issued by the Tire Rationing Board.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. O'HARA. Is there some special regulation that applies to Sears, Roebuck that does not apply to the rest of the tire dealers?

Mr. KEEFE. Well, I do not know that, but I know that the facts disclose that when this tire-freezing order went into effect Sears, Roebuck had on hand one

of the largest stocks of automobile tires of any company in the United States.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. Mr. CARTER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. KEEFE. When this matter came to the attention of the chairman of the tire-rationing board in my county he was amazed to see the loop-hole that existed in this law. He immediately wrote to the State administrator at Milwaukee and wanted to know how it was that these tires were being shipped in by Sears, Roebuck & Co. and being sold without the purchasers having to secure a certificate from his Tire Rationing Board. Each county is given a quota of tires, a very exceedingly small quota in my county at least. He was told by the State administrator, "Why do you worry about it? Those tires are not charged to your quota and so it is not any of your business."

Now, I say to you Members of Congress and to the public, it seems to me, without making any charges whatever, that there is a situation which ought to call for an immediate and thorough investigation.

If this company, Sears, Roebuck, can dispose of tires in that manner and circumvent the law in that manner, and thus insure the mounting and ever-growing sale of farm wagons at the same time, so as to get people to buy farm wagons in order to get tires when they do not need a farm wagon but want the tires, and are thus circumventing the plain mandate of the law, as the public has been told it was, it seems to me we ought to find out just where the regulation came from that would permit Sears, Roebuck to do what no other company in my territory at least is privileged to do. No other person selling light farm wagons can sell a wagon equipped with four standard automobile tires, but Sears, Roebuck is doing it. Why?

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. CRAWFORD. We might just as well put the cards on the table. I am subject to questioning by the people of this country, as a Member of this House. We are at war. Mr. Leon Henderson is Price Administrator. Mr. Donald Nelson is head of the War Production Board. He is a former official of Sears, Roebuck & Co. Those two gentlemen are in charge. They are subject to being questioned by the people of this country. If there is anything to these charges, let those two public officials put their cards on the table and straighten up the case and get it behind us.

Mr. KEEFE. I do not know what there is to the charges except what I have told on this floor. I am making no charges. I am giving the Congress and the people of this country some facts—facts which I have checked on a recent visit back to my district this past week-end. I want to tell the Members of this Congress, with all the sincerity at my command, if we do not do something about these things the people of this country are in revolt, and properly they should be. The man who has got the money to go out and buy a farm wagon

can get a set of tires, but his neighbor who does not have \$147 to lay down on the line and comply with the law is denied tires. Think of the break-down of morale in that situation, which is one of the most vital, affecting the economic status of our people today. If one person is going to be denied tires they should all be denied tires. That is what I say.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. HOFFMAN. Does not the gentleman believe that under the A. A. A. program, this farm-rehabilitation program, the farmer might be able to borrow money to buy the wagon if he agreed that he would not say anything against the A. A. A. until the loan is repaid? On the official blank "Application for Rehabilitation Goods," appears this condition—I quote:

I agree that at any time prior to the final liquidation of my loan from the Rural Rehabilitation Corporation to do nothing in opposition to the Agricultural Adjustment Administration program.

Mr. KEEFE. This thing should not affect the farmer. The farmer can get an order from the Tire Rationing Board for tires to put on a farm wagon not equipped with tires, but he has got to sign an affidavit that those tires will not be removed from that farm wagon, and if he does remove them and put them on his car, he can be criminally prosecuted; but he can go down and get them from Sears Roebuck on a mere statement that he intends to keep them, and he is not bound by the criminal provisions of the code. They are buying farm wagons, taking the tires off and putting them on their cars. I do not blame them, but look at the loophole that exists.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. HOUSTON].

HOW WAR AFFECTS SMALL BUSINESS

Mr. HOUSTON. Mr. Chairman, we are indebted to the Bureau of Foreign and Domestic Commerce under the able and intelligent leadership of Carroll L. Wilson, for a report on what war does to a region's normal economy. The Bureau has taken a leading role in the conversion of facilities from a peacetime basis to a wartime footing.

The Bureau's report shows that defense centers are areas of great activity, and in general small business in these areas, whether engaged in retailing, wholesaling, services, or in manufacturing, are sharing in the boom. However, certain types of retail and wholesale establishments have been definitely injured by restrictions on materials, and certain manufacturers have been forced to curtail activities through inability to obtain the necessary stocks of raw materials or finished or semifinished goods.

Outside defense areas the story is different. In general, business is becoming depressed; population is moving away. A high percentage of vacancies in residential and business property is the rule, and towns and cities are faced with lower valuations and greatly reduced revenues.

This is taking place in spite of the fact that cash farm income has greatly improved, and indications are that it will continue high in the current year.

Small business firms have felt the impact upon labor supply and labor cost of the brisk demand for skilled labor to man war-production lines. Shortages of highly skilled workers characterize the defense areas. While unemployment is still prevalent and no general shortage of labor exists, many skilled workers have been lost to war plants. This is, of course, partly the result of lay-offs due to the curtailment of civilian output. Looking forward to the time, however, when the plant facilities of these small manufacturers are mobilized into the vast structure of national war production, they will have the serious problem of rebuilding skilled working forces.

There is much idle machine-tool equipment. Even the most active firms engaged in war work are operating for no more than one shift, with few exceptions. In such instances two or three shifts could be added. In the main, however, the problem of putting these idle machines to work is one of conversion through subcontracting, pooling, or other means.

A very large portion of firms are operating with a high percentage of normal staff. Several reasons probably account for that. In some cases the firms are one- or two-man concerns in which reduction is impossible. Some firms maintain their workers on a part-time basis. In many instances the firms have been operating for years far below full capacity and normal staff has been adjusted to that basis.

To a large extent, firms reporting no Government orders, either on a prime contract or subcontract basis, are outside the defense centers. Companies in defense areas appear to have had much greater success in obtaining subcontracts. A general complaint of small subcontractors is that such contracts are obtainable only on an unprofitable basis.

Those firms which find it possible to continue in business are experiencing higher labor costs. Wage rates have advanced as Government contractors have striven to extend the roster of war workers. For those companies endeavoring to carry on in the face of sharply reduced operations, the problem of labor costs has been accentuated by lowered plant efficiency.

Kansas alone among the States in the Kansas City region has an increase in employment. Workers continue to migrate to Wichita for employment in aircraft plants. There are local dislocations in less-favored communities, of which all but a few have suffered a loss of population. The young people have gone into the armed forces or have moved to defense areas and that trend is expected to continue.

The trend in population which has not only reduced numbers in small towns but also raised the average age of the population, is of course not conducive to local business activity. An important offsetting influence this last year, however, has been the highest cash farm income

since 1920. Farm returns will be maintained at high levels in the current year. Nevertheless, these small towns and cities outside of defense areas have been faced with high percentages of vacancies in both residential and business properties, lowered valuations, and decreased revenues.

In the last few weeks, the situation has become worse. In many small towns, some of the principal businesses have been automobile agencies, repair shops, and filling stations. Restrictions on automobiles and tires have crippled an important segment of the economic life of these towns. Moreover, many persons formerly engaged in these businesses are now moving to defense areas for a livelihood.

In other ways, also, tire rationing may have the effect of reducing population in outlying towns and cities. Many workers found it convenient to commute to defense areas, maintaining their homes and families in the old home. Still others lived apart from their families during the week, and drove back each week end. The movement of workers and their families away from small towns has been accelerated by tire rationing. A radical increase in this trend is already indicated.

Further evidence of the plight of small towns is furnished by the experience of utility companies. An independent telephone company reported that in 90 percent of the towns served in Kansas the number of stations has been reduced. Sizable declines in the number of gas, electric, and water meters have been reported.

Machine shops in many small towns of Kansas employ normally from one to five people. Some are entirely idle and many are running at not more than 10 percent of capacity. Workers have been laid off and reemployed in war work in distant centers. In a few cases, the machines have been stored and the owner has joined the exodus to defense centers. Many machine-shop owners have already sold some of their equipment; such sales are increasing, and the end of the war may find the small towns without adequate machine-shop facilities.

Shortages of seasonal farm labor as a result of declining population in small towns threatens to become serious. Even though higher farm wages are paid, seasonal farm work cannot meet the competition of sustained employment in the war industries.

In only a few cities has population been maintained and these were generally located in or near defense areas. The centralization of war production is taking a heavy toll of the small towns, modifying the traditional patterns of life in the Middle West.

It is not too late to start an orderly approach to the whole subject of mobilization of industry and manpower and a better distribution of war facilities.

Mr. CARTER. Mr. Chairman, I yield 25 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman—

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. VOORHIS of California. I have a very real affection for the gentleman from Pennsylvania and just hope that in the beginning of his 25 minutes he will take it sort of easy, because before he gets through I know he will be going strong.

Mr. RICH. May I say to the gentleman from California that I have great respect for him. I know that whenever he takes the Well he goes to town and puts all the energy and steam into it he can. I will try to keep from breaking any blood vessels, do the best I can, I assure the gentleman.

Mr. Chairman, we have before us today the Interior Department Appropriation bill. I want first to pay my respects to the committee, the gentleman from Oklahoma [Mr. JOHNSON], chairman; the genial gentleman from New York [Mr. FITZPATRICK]; the gentleman from Washington [Mr. LEAVY]; and our good friend from California [Mr. SHEPPARD], on the minority side; and then coming over to this side we have the genial, good-looking ALBERT CARTER, from California, and my standby, the gentleman from Ohio [Mr. JONES], who is always on the job and working hard. They are all fine fellows and they have worked hard on this bill. I certainly want to pay them my respects for their diligence in trying to perfect the bill we bring before you this afternoon which we call a perfected bill but which needs a few changes.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield for an interrogation?

Mr. RICH. Certainly.

Mr. SHEPPARD. I wonder if the gentleman wants to change the general percentage of the House when he puts in the Record the statement that I and my colleagues on this side represent the minority? Does the gentleman mean that?

Mr. RICH. I will leave that for the gentleman to determine for himself.

Mr. Chairman, we will win the war with work, we will win the war with production, we will not win the war with spending. Ever since I have been a member of the Interior appropriations subcommittee we have had very great difficulty in trying to hold this bill down. The committee has always had so many demands made upon it not only from members of the committee but from every Member of the House trying to get something in the bill for his own particular district that it has been an almost impossible task heretofore. This year, however, we got help from all the members of the committee in trying to cut this bill down, and this is really the first time since I have been a member of the committee that we have all had the common thought in mind of trying to reduce the expenditures. This change of attitude has been brought about because we realize we are in a situation today where we must spend only for the essentials of the operation of Government; that the nonessentials should be left until after we win this war. That was the thought in the minds of the members of the committee, but before we complete this bill we are going to have an opportunity to reduce a number

of items still more. Some of them I will call to your attention now.

The Grazing Service is one where I think we can reduce the amount considerably.

Now, there is the Bituminous Coal Commission. You heard on the radio this morning the recommendation that the people fill up their coal bins now, because it is believed that it will be difficult for them to secure coal in order to fill their bins later on this fall. There will be no difficulty in the coal operator securing a price up to the point that Mr. Henderson will permit them for coal. The demand is here. Therefore we do not have to spend the same amount of money that we have been spending during the last 4 or 5 years on the Bituminous Coal Commission. The people in this Commission ought to be given jobs in other places in the Government where they can be employed at gainful occupations and in something that will be to the best interest in winning this war. We can eliminate at least half of this organization and put those people in other branches of the Government service.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. RICH. I yield to the gentleman who had charge of this branch of the bill in the committee.

Mr. FITZPATRICK. The former chairman of the Bituminous Coal Commission, Mr. Gray, testified before our committee that if we eliminated the Bituminous Coal Commission or even a part of it they would have to set up a new commission to take over the distribution of fuel in the United States and that their salary would come out of the taxpayers direct, while if we continue the present Commission there will be about \$3,000,000 turned back into the Treasury of the United States.

Mr. RICH. If Mr. Gray cannot handle this job with half the men he has, we ought to get somebody in place of Mr. Gray. I am sure however, Mr. Gray can do the job. The Bituminous Coal Commission for 7 or 8 years has been a large organization trying to determine the price of coal. It has gone into the matter from every angle. That body is not essentially necessary as I see it today in the handling of this branch of the Government.

Mr. CRAWFORD. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Would the gentleman go so far as to say, based upon his study, that it is very good practice and perhaps a necessary practice for the people of this country to now fill up their coal bins in order to avoid as much of a load on the transportation system next fall as is possible?

Mr. RICH. I think that is a wise thing. I think the people of this country should fill up their coal bins soon after the 1st of April so that they will relieve the railroad companies of this burden next winter. The railroad companies will be able to deliver now, the miners will have full work during the summer and this will be a great help in winning the war. The people then will be able to take care of

themselves and will not have to depend on the Government to do it later on this fall.

We come now to the soil and moisture conservation operation for which there is in this bill \$1,300,000. It seems to me we ought to make a great cut in this part of the bill.

The printing and binding section of the bill ought to have a still further cut than we have been able to make.

We come next to the Bonneville power project out in the State of Washington from where my good friend the gentleman from Washington [Mr. LEAVY] hails. The gentleman from Washington [Mr. LEAVY] is probably the best getter we have in Washington, so far as I know, but we have in there an item for transportation of power for building up new lines and for securing contracts for the use of this electricity. If the statements that have been made before in reference to the securing of contracts and the demand for power are true we certainly can cut this item in half.

Then we have an item in here for surveying public land. There has been more money spent in surveying public land in the last 3 or 4 years than has ever been spent in all the history of our Nation for surveying. This could be deferred until after we win the war and thus save those engineers, to be used on other Government work. The Government needs many engineers at this particular time.

We also have an item in here for rehabilitation of needy Indians, \$1,000,000. It seems to me that with the demands we have for labor now the Indians could be given work on the outside that would relieve this item a considerable amount, if the Indian Bureau will use its best endeavor in trying to see that these men are given jobs. I am sure they can do that, and we ought to reduce the item.

Then we have the reindeer service in Alaska, \$91,160. Do you remember what a good time we had during the last 3 or 4 years talking about Santa Claus and the reindeer? The majority party put over a bill to buy those reindeer up in Alaska. The United States Government now owns them. It has cost the Government a million dollars all told. Because we put up a fight we did to save a couple of million dollars in the purchase price, but we do have the reindeer. Every member of this subcommittee I think admits that the purchase of these reindeer has proven a failure, but we still have in the bill \$91,000. If we would give the natives of Alaska a bounty of \$50 apiece for catching wolves we would do more to aid the reindeer industry in Alaska than any other thing we could do. We would save the men up there who are acting as herders and men who are looking after the reindeer. The elimination of those wolves will do more for the reindeer and to furnish food for the Alaskan people than anything I could suggest.

Mr. CRAWFORD. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. In reference to the reindeer proposition, from the commit-

tee's report I notice a statement to the effect that there have been 34,000 head of reindeer lost on account of the depredations of wolves and from other causes. What does the committee understand is likely to happen to the 50,000 reindeer left in the herd?

Mr. RICH. Unless we get rid of the wolves, I do not know how you are going to maintain the herds up there. I might cite you this: In the State of Pennsylvania 30 years ago we had very, very few deer. We paid a bounty on wildcats and other obnoxious animals that would kill the deer, and prohibited the running of dogs. Today we have more deer in Pennsylvania than were ever known in that State. The year before last, when we permitted the killing of both does and bucks, several hundred thousand of them were killed.

If they would do the same thing in Alaska, if they would offer a bounty large enough so that the natives would trap the wolves, they would do more, in my judgment, to aid in the raising of reindeer than by hiring three times as many herders as we have trying to keep the wolves away from the reindeer, because they are unable to keep the wolves away. I am told that one wolf will kill a reindeer each day. He will just take out of the deer that part that he likes, which is the blood from the neck and part of the front quarters and the heart. Then he will let the carcass lie there. If we make an effort to rid Alaska of these wolves, we shall be doing more than anything else to save the reindeer of Alaska.

Mr. CRAWFORD. But there is nothing in the bill to provide for any such bounty?

Mr. RICH. No. I understand that in Alaska a small bounty is paid on wolves, but if the Federal Government would spend the money we are spending here and eliminate the herders and give a \$50 bounty on wolves, I venture the assertion that we would not have 25,000 deer destroyed this year. And we would kill or capture hundreds of wolves.

I am not going to take much more time pointing out the various items in this bill that I think ought to be cut. We shall do that with amendments when we start reading the bill for amendment tomorrow. I hope you will all be on the floor then so that you can aid those of us who are desirous of cutting this bill still further, because, as I said before, if we want to win this war we must conserve on nonessential Government expenditures, and we have a good opportunity in this bill to do so.

As to the National Park Service, I suggest that you place a 10-percent cut on the operation of all the national parks in this country, and take it off in 1 item. That would be the quick way to do it, and it would probably be just as good as if you would knock 10 percent off of each item. By doing that we would save offering about 50 amendments to the bill.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. The gentleman has discussed how we might get rid of the

wolves in Alaska. Would the gentleman care to discuss how we might get rid of the wolves in Washington?

Mr. RICH. I suppose the gentleman from Ohio in referring to wolves means those who are getting out of the Government things which do not rightfully belong to them, or getting more than their share of the currency of the United States for doing a little work. Is that what the gentleman means?

Mr. VORYS of Ohio. I mean those who are getting juicy meat that belongs to the Government. The gentleman and all other Members of Congress know what I mean. It is a problem that is worrying us and worrying the people.

Mr. RICH. If I wanted to do that, first I would say to the War Department and the Navy Department, as well as the President of the United States, who have the greatest amount of money to spend that has ever been given to any three departments of the Government in all history, that if they do not scrutinize the expenditures you are making and keep the wolves from getting more than a fair profit—and by that I mean industry, by that I mean radical labor leaders, by that I mean everybody who is getting too much for the service he is rendering to the Government—this country will be on the road to bankruptcy. We will not be able to endure it. We cannot win this war and keep it up.

When this administration came in power in 1933 they talked about the money changers in the temple. I remember, oh how well, they sang the song here in the House of how they would drive the money changers out of the temple. I can remember when President Roosevelt made his first inaugural address he talked about driving the money changers out, but goodness knows he has been the greatest money changer this Nation has ever seen. He has changed the money from the people of this country that have to the have-nots, and the first thing he knows he will break everybody and break the country. He has \$35,000,000,000 to give away under lease-lend. I wonder whether some day when this is all given away, and remembering the \$15,000,000,000 these foreign nations owe our country, will we have anything left?

I think the Congress of the United States is responsible for that. The men who voted to give him that power should take it away from him and assume that responsibility so that we have no wolves. It is your duty and it is mine to see that we do not have the spending that is going on in this country.

I picked up a paper yesterday morning and saw where some girl made \$13,000 in the month of February. No girl or no man in this Nation should make \$13,000 profit out of the United States by working 6 or 8 hours a day, I do not care who he is or where he comes from.

Have I answered the question of the gentleman from Ohio?

Mr. VORYS of Ohio. The gentleman certainly has given an answer that shows he understood the question.

Mr. RICH. You know what I think about it.

Mr. VORYS of Ohio. I wonder if the gentleman does not think that \$11,000 in 3 days for a secretary of a company, as was stated in this morning's paper, is not pretty good reindeer meat to get out of the Government?

Mr. RICH. If she got \$1,000 in 3 days it would be too much money.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. The gentleman has mentioned the case of Jack & Heintz, Inc., of Ohio. In my opinion, the Congress will have to answer on that proposition. Let me submit this question to the gentleman as a member of the Committee on Appropriations. After Congress appropriates these tens of billions of dollars for the war effort, what control have we as a Congress over the expenditure of these dollars?

Mr. RICH. The Congress has nothing to do with it because you have put that power into the hands of the Chief Executive and the Army.

Mr. CRAWFORD. Then let us make that clear to the country.

Mr. RICH. The Army does anything the President wants, and Mr. Roosevelt is responsible for those contracts, and I want to go further and say that Congress has no business giving him that power.

Mr. CRAWFORD. I agree with the gentleman on that, but he has the power. Now, let us go a step further. There is a Priorities Board, is there not?

Mr. RICH. I think so; yes.

Mr. CRAWFORD. And that Board can say to every industry in this country exactly what it can have in the way of materials. That is true, is it not?

Mr. RICH. That is right.

Mr. CRAWFORD. Then there is a Department of the Army and a Department of the Navy, and a general set-up of the Government for making contracts.

Mr. RICH. That is right.

Mr. CRAWFORD. And the administrators of these contracts agree with these companies as to what prices they may charge for equipment of airplanes and the ships and the field guns and everything else. That responsibility is not upon the Congress of the United States, is it?

Mr. RICH. No; it is the President's responsibility, and that practice is wrong.

Mr. CRAWFORD. Let us straighten that out now.

Mr. RICH. It should not be permitted, because the ones who are issuing those contracts should certainly know that when a man is making 50 percent or 100 percent as a profit, that is too much, and they should never give anybody a contract of that kind.

Mr. CRAWFORD. There are plenty of ways for the administrators of these contracts to find that out.

Mr. RICH. Absolutely. They should get the information if they do not have it.

Mr. CRAWFORD. There is no difficulty whatever in finding that out, and my question is this: Is that responsibility upon the Congress of the United States

at this time, or is it upon those Government officials who let the contracts?

Mr. RICH. That responsibility is upon those officials who let the contract since the Congress has given those men that right. That right was given to the President of the United States and the Army and they are the ones who are responsible after the Congress did what it has done. I say the Congress should never have given the President and the Army that power.

Mr. CRAWFORD. I agree with the gentleman on that. Now let us see if we can do it in this way. Would the gentleman recommend that we repeal that part or that power and, if so, what procedure would the gentleman set up for letting the contract?

Mr. RICH. We should repeal that power to the President. I will tell you that the people of this country today are all interested in winning this war. If there is anybody who wants to win the war, I am that person, but I was opposed to getting into this war—get me right there—and we could have stayed out of it if we had run things in the right way. But that is neither here nor there now. I am for winning the war. Now, anybody who criticizes the administration for anything that is for the best interest in the direct winning of the war, they are criticized and they want to call you or me or whoever criticizes the administration fifth columnists, but we are only looking after the interests of the Federal Government when we act in that way. We are not fifth columnists. You are not a fifth columnist and I am not a fifth columnist. We are only trying to serve our Nation in doing those things which are for the best interests of the people so that we will have enough money to support this war to the bitter end, furnishing MacArthur and his men with the guns and the ammunition to prosecute the war until we do win it. To maintain our Government and our liberty.

[Here the gavel fell.]

Mr. CARTER. Mr. Chairman, I yield 20 minutes to the gentleman from Vermont [Mr. PLUMLEY].

FRIVOLOUS FOLLY

Mr. PLUMLEY. Mr. Chairman, because of a popular uprising against the way civilian defense was being operated, the fan dancers, et cetera, there has been recently transferred from the Office of Civilian Defense to the Office for Emergency Management and put under the direction of the Honorable Paul V. McNutt, a division which is concerned with the promotion of sports—not what you think but games and other forms of recreation for civilians—when we are at war. It is not funny.

Now, I know that the health and the fitness of American youth is essential. I know also that for years the fathers and mothers, the schools and colleges, and every other instrumentality which has had in mind the upbuilding of the physical qualifications of the coming generations, have devoted their time and effort to developing the Americans of tomorrow along the lines of physical fitness for whatever the future might hold in store. Those organizations are already estab-

lished, functioning, and all-out to do their part to help win the war without Government interference.

A FANTASTIC EXTRAVAGANZA

To suggest that the Federal Government should undertake to tell the fathers and mothers, and the States and towns and villages of this land that only it, the Government, could know who was fit to undertake to act as physical fitness director, at the expense of the taxpayers of the States, is so ridiculous, so foolish, so asinine, as to make everybody who had anything to do with the establishment of such a program look exactly as you think he does. If you want to know how they look, all you have to do is ask the public which thinks it is a joke, but a joke at its expense, and it is getting sick and tired of this type of humor.

UNCOMIC RELIEF

The attitude of the public in fairly reflected by the Chicago Daily Tribune in an editorial which appeared on March 18, 1942, entitled "Most Uncomic Relief," and which reads as follows:

Looking at the Office of Civilian Defense, one would be justified in concluding that it was devised to provide low comedy relief for a war-harassed population. But inasmuch as the agency was organized on the assumption that American civilians may some day face the same hazards that war has brought to civilians in Europe and Asia, its frivolous antics are distinctly unfunny.

Senator BYRD recently called attention to the Office of Civilian Defense's Division of Physical Fitness. No sooner had he done so than Office of Civilian Defense Director Landis sloughed it off—not off the shoulders of the taxpayers, to be sure, but to the pay rolls of Social Security Director McNutt. The boondogglers aren't fired; merely shuffled.

The activities of the Director of the Division, Jack B. Kelly, seem designed to make the public forget even the frivolities that Mrs. Roosevelt sponsored during her disruptive and unhappy tenure in the Office of Civilian Defense. His specialty is the appointment of a national coordinator for every athletic activity that any one in the country has ever attempted. At last report he had 61 of them, not including log birling. He has, however, not neglected such esoteric pastimes as weight lifting, horseshoe pitching, and code ball.

Code ball, it appears, is a distinct relative of golf in which the player kicks the ball without the usual formality of first throwing his clubs into the nearest water hazard. He has no clubs to throw. The inventor, and thus the natural candidate for national coordinator of the sport, is Dr. W. D. Code, an estimable physician of this city. Dr. Code, with the benevolent patronage of Mr. Kelly, may be depended upon to use the war emergency to the limit to popularize his particular pastime, just as the principal manufacturer of bowling supplies has been successful in installing an executive of the agency which handles its advertising as the coordinator of bowling.

SPORTS OR SPORT

The place of sports in the war effort, meaning games, not those selected as administrators, is at best an unimportant one. The American people have been devoted to 61 varieties of sport that Mr. Kelly has dug up to coordinate, and in war as in peace will, no doubt, continue their participation so long as they have any money for it, after paying their tax and grocery bills. It is impossible to see why their activities in this direction need coordination, but the reason why it is provided is simple. It flows from the same

social-worker cast of mind that in every conceivable direction is turning the conduct of this war into another New Deal boondoggle. This is the cast of mind that firmly believes that the people are incapable of doing anything for themselves and must have directions from a more enlightened source to conduct the simplest of their affairs.

BUSY BEES

Mr. Kelly and his busy bees in the Office of Civilian Defense are as firmly convinced that the ping-pong players can't get along without guidance as the bureaucrats in the Agricultural Adjustment Administration are convinced that the farmers of the United States haven't sense enough to plant the proper crops unless they have an Agricultural Adjustment Administration quota system to tell them what not to plant.

Mr. Kelly has asked Congress for an appropriation of a million dollars with which to carry on his fantastic program, and is quoted by Senator BYRD as saying that unless he receives at least \$300,000 he will resign. This appears to be a heaven-sent opportunity for Congress.

CRAP-SHOOTER COORDINATOR

One of my long-time colored-boy friends said to me on my way over to the Capitol today, "Mr. PLUMLEY, I make application to be appointed crap-shooter coordinator for the Capitol air-raid shelters if this recreation business I hear about comes true." That is the answer.

HORSESHOES AND MARBLES

The Pittsburgh Sun-Telegraph had this to say editorially on March 17:

What can be the matter with our Government, anyway?

Do children's marble games in public schoolyards speed the production of airplanes and tanks and ships?

Can Hawaii be defended by canoeing in the Rappahannock River?

Can the Philippines be redeemed by lifting weights in Trenton?

Can Australia be saved by archery in the Adirondacks?

Does it help MacArthur and his gallant men if young men pitch horseshoes in Philadelphia or in Hohokus?

Pastimes are all right in their proper time and place; but what have such pastimes as billiards and badminton to do with the grim and grisly business of winning a "total" war?

PATERNALISTIC PROFLIGACY

Or why must a war Government, on which the despairing hopes of humanity rest, pause in its stern duties to lavish profligate and infantile paternalism on nursery games and penthouse "athletics"?

And this Office of Civilian Defense extravaganza is only a part of official Washington nowadays.

The terrible disorganization existing in the Government, the conflict of irreconcilable interests existing there, the waste of tax money, the dispersal of effort—the sheer confusion, in brief—has become so complete as to comprise almost a pattern in itself.

Maybe it is not an accident or the product of boundless incompetence, after all.

Maybe the new dealers have "planned it that way."

POOR, PURE PATERNALISM

I say that for the Federal Government to go so far outside the boundaries established for it, and to so far interfere with the lives and the liberty and the habits and the customs of the people of the several States is paternalism gone mad. It would be almost unbelievable were it not for the fact that so much has been

done along similar lines of late, without any justification or reason, and always at the expense of the taxpayer, measured in dollars and cents, and sense, and in every other way.

The truth is some people have just gone crazy with their egocentric notions that it is up to them to save the world while they have the chance to demonstrate their superiority complex.

The time has now come for a show-down and for reflection, glamour girls or not. We must get back onto the bare ground of reality. Let us forget Hollywood and Eleanor for a minute, or forever, which would be all right with me. It is time to realize that there is a bottom to the barrel of money into which the taxpayers have poured their all and out of which have flowed the funds to finance all these senseless theories and experiments and fantastic folderol.

WE ARE AT WAR

We are at war, despite which fact so many seem bound and determined to carry on their program of wasteful extravagance and useless expenditure of the hard-earned dollars of the people, who profit least by reason of what is being done to them under the pretense of doing something for them.

Now here comes this physical fitness program to break the camel's back, following a period when these same proponents, who now urge this program, protested vigorously against training for physical fitness of those in the Civilian Conservation Corps. The program they offer does not make sense in any respect, and it should not be permitted to be carried out.

I agree with the distinguished dean of the minority, the gentleman from Massachusetts [Mr. TREADWAY], who said recently:

To my mind, nothing is doing more to undermine public confidence than the bungling and frivolous manner in which a vital and important branch of our defense program—the matter of civilian defense—has been and is being carried on.

Of course, the Office of Civilian Defense is a relatively new agency, organized to deal with a matter about which we, in this country, have had no previous experience. Some mistakes might therefore be anticipated and condoned, but we have the right to expect that the responsible officials of that agency would at least have some slight conception of the object and purpose for which it was primarily created, or ought to have been created, namely, the protection of civilian life and property. The sad fact is, however, that they have not demonstrated any such understanding. Instead of concentrating their activities on air-raid precautions, they have used a large part of their funds to carry on various sociological and entertainment programs more related to Sunday-school picnics than to the fierce realities of war.

While our people throughout the country have been crying out for instructions as to what to do in case of an air raid, and how to take measures for their protection; while they vainly seek instruction in the use of gas masks, in the handling of incendiary bombs, and in first-aid work; while they await the production and distribution of gas masks, steel helmets, auxiliary fire-fighting apparatus, and other necessary equipment, what do we find the vital and important Office of Civilian Defense to be doing?

Up until the time Dean Landis recently took charge of that agency, it was devoting its

energies and funds in a large measure to such frivolous activities as these:

Hiring a professional dancer, at \$4,600 per year, to "develop dancers, rhythmic exercises, and the like, particularly for children who might be congregated together in times of disaster, such as air raids and the like."

Hiring a Hollywood movie star to arrange for public entertainments.

Hiring a colored track star, at \$3,200 per year, to serve as a "roving staff assistant" on racial relations.

Hiring a number of racial relations advisers at \$4,600 per year.

Hiring a newspaperman, at \$12.77 per day and expenses, to go around the country writing "human-interest stories" relating to civilian defense.

Hiring a football coach, at \$4,600 per year, to promote sporting exhibitions of all kinds and encourage physical recreation programs.

Hiring a consultant on labor problems at \$22.22 per day.

Setting up a Know Your Government Division, with a chief receiving \$8,000 per year, consultants receiving up to \$22.22 per day and expenses, and a number of other highly paid executives.

Setting up a Physical Fitness Division, with a large number of high-salaried employees receiving up to \$5,600 annually.

Setting up a Youth Activities Division to carry on various activities among the younger people.

None of these activities and others I could mention have the slightest relationship to the ostensible purpose of the Office of Civilian Defense, which ought to be to provide for the protection of life and property in case of air raids. Just why they should have been allowed to have been carried on in the first place is difficult to understand, but what is most deplorable is that many of these activities are still to be continued under the new head of the agency, Dean Landis, of the Harvard Law School.

It is true that Mr. Landis has made some changes in the organization which he inherited from his predecessor, which do away with some of the criticisms which have been leveled against it.

However, in the case of the Physical Fitness Division, its activities and personnel are simply being transferred to another Government agency, under Mr. McNutt. The public money will thus continue to be spent for the physical-fitness programs.

I therefore have offered a resolution which reads as follows:

Whereas there has been transferred from the Office of Civilian Defense to the Office of Emergency Management a division now under the head of Defense Health and Welfare Service, Paul V. M. McNutt, director, which division is concerned solely with the promotion of sports and other forms of recreation, headed by a so-called physical fitness director, and consisting of approximately 50 branches under the supervision of so-called national coordinators and their staffs; and

Whereas such activities are entirely unrelated to the purposes for which the Office of Civilian Defense was created; and

Whereas such activities constitute an unwarranted and wasteful expenditure of public funds, and are, in every respect contrary to sound public policy in such a crisis as that which confronts the Nation at the present time: Therefore be it

Resolved, That it is the sense of the House of Representatives (1) that the President should immediately order the discontinuance of all such activities by the Office of Emergency Management, and (2) that such activities should not be transferred to any other department or agency of the Government.

Mr. SHEPPARD. Mr. Chairman, I yield 20 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Chairman, I know that upon occasions of this kind it is quite right and customary to pay tribute to your colleagues on the subcommittee who work with you in the preparation of the bill that is being submitted. I shall recognize that worthy custom. This is my last address on this floor under general debate on an appropriation measure that I have had the pleasure of participating in writing.

Most of our subcommittee has worked together for the full 6 years I have been here. I have found great satisfaction in being on three different subcommittees, all of them made up of splendid men. However, the one that writes the Interior Department appropriation bill, I think, has a greater task and a greater responsibility, if I may thus express myself, than any other general supply bill. For the first time, after a lot of hard work, a great amount of earnest effort, we have reported here a bill for the Interior Department that more nearly meets with general approval of all the subcommittee than ever before written by the committee, and it was reported out of the full committee this morning without any dissent.

Two weeks ago, when we were considering the agricultural appropriation bill, I heard Members on both sides of the aisle, good friends of mine, repeatedly say, "Wait until we reach the Interior bill, and that is where we are going to do some cutting." Now that the bill has been reported, and the result of the careful, painstaking work that has been done by the subcommittee is taken into consideration, I think there are grave doubts in the minds of many of the Members of this House that the amount ought to be further reduced.

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. Yes; I yield to my distinguished friend from Kansas.

Mr. LAMBERTSON. I just want to remind the gentleman that the agricultural appropriation bill went through the full committee just as serenely as this one did. I suggest that the gentleman do not take too much for granted.

Mr. LEAVY. And I may say to the gentleman from Kansas that I take nothing for granted in this House, and never have.

Mr. BROWN of Ohio. But there is one thing that we can depend upon—it will not have any rougher voyage than the agricultural bill had.

Mr. LEAVY. I am convinced that if it is treated anything like the agricultural bill was, in view of what the committee has done in the way of reductions, we might just as well eliminate the Interior Department in the Government and turn it over to the War and Navy Departments. I know that no gentlemen think that either good judgment or wisdom.

Mr. HOFFMAN. This bill involves an expenditure of \$162,000,000, does it not?

Mr. LEAVY. Yes.

Mr. HOFFMAN. And the gentleman notices, of course, that there are less than 40 Members on the floor.

Mr. LEAVY. I have not counted the Members.

Mr. HOFFMAN. I have.

Mr. LEAVY. But I assume that the Members read the RECORD, like the gentleman from Michigan does, when he is not on the floor.

Mr. HOFFMAN. Can the gentleman tell me when I was not on the floor? I do not recall an incident of that kind.

Mr. LEAVY. I am not keeping track of that or having a check upon the gentleman.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. Yes.

Mr. STEFAN. I merely want to answer the roll call.

Mr. LAMBERTSON. It ought to be noted of course that we are just in general debate all this afternoon.

Mr. LEAVY. That is correct, and I don't think that any one, even the gentleman from Michigan [Mr. HOFFMAN] will challenge the good faith of the membership in the performance of their duty, because they do not happen to be here at the moment. I know that the membership individually has a multitude of responsibilities and duties, and they must of necessity have some time in their offices to take care of things other than those that are pending on the floor at the moment.

Mr. HOFFMAN. And I am sure that if the membership had known that the gentleman, who is a judge now, or about to become a judge, were going to speak, they would all be here. I am not criticizing the Members for not being here, but it does seem, when we have these bills appropriating such large sums of money under consideration, that we should have more on the floor. I know that Members are receiving hundreds of letters insisting that we adopt some labor legislation, and, of course, some of the Members are in trouble and naturally they want to answer a lot of those questions.

Mr. LEAVY. Of the 435 Members of this House, I cannot for the life of me say this afternoon that any one is soldiering on the job that he has, and I do not believe that you can gather together in America anywhere the same number of men and women as constitute this House and find a more serious-minded, a more patriotic, more intelligent, and industrious group than we find in this American Congress.

I wish the American people would come to a full appreciation of the earnestness with which their Representatives seek to serve them. I can say this, because I am not a candidate for reelection this year.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Arizona.

Mr. MURDOCK. It delights me a great deal to hear the gentleman say this, because he can say it properly, not being a candidate for reelection, and also because he is a gentleman of sound judgment.

ment. His distinction and view of what constitutes loyalty and patriotic devotion to public duty is of the highest order, and I want to thank the gentleman for saying exactly what he has said. I find a great deal of expression from those outside, that Members of Congress are simply sitting here playing politics, everything they do being done with the idea of gaining votes. The gentleman's statement just made will go far toward clearing up that very erroneous conception in the public mind.

I wanted to ask the gentleman a question. That is why I rose. Does the gentleman not feel that the difficulty we have with the Department of Agriculture appropriation bills and Department of the Interior appropriation bills arises largely out of the fact that what we pay out of the Public Treasury is so very evident, and what comes in, or what the Nation gets in return, is not always so very evident? For instance, I have heard gentlemen say there ought to be cuts made. The gentleman who just preceded you mentioned several. He mentioned the Grazing Division. It may be that there is a certain item in the bill for the Grazing Division, but if I remember rightly the chairman of the subcommittee earlier today stated that more than \$1,000,000 income from that Division was received annually.

Mr. LEAVY. That is right.

Mr. MURDOCK. That is something which the public is overlooking. What the gentleman failed to mention this morning is the fact that not all of the receipts from grazing go into the Public Treasury. A share of it goes into the local treasuries, which is overlooked.

Mr. LEAVY. The gentleman is correct in his statement.

Mr. MURDOCK. I will not take more of the gentleman's time, but I do feel that we have a great asset in our partly developed West. Those States out yonder in the Rocky Mountain area, beyond the Mississippi River, serve as a source of supply not only for the needed things of today but for the future. They are the raw-products States. They constitute the national treasure chest. We must take care of our stewardship that we do not waste that heritage of the Nation, and it can be wasted by neglect.

Mr. LEAVY. I thank the gentleman.

Mr. MURDOCK. I wish to compliment and thank the gentleman for his part during the past 5 years in taking care of that stewardship so well by his actions in this committee and in the House.

Mr. LEAVY. I thank the gentleman for the splendid contribution he has made with reference to the functions of the Interior Department.

This year for the first time we had a new chairman of the Interior Department subcommittee, the distinguished gentleman from Oklahoma, JED JOHNSON. I feel that it is due him to state that I do not believe any chairman of any subcommittee of the Appropriations Committee in the history of the Congress has devoted himself more faithfully, patiently, and carefully to a consideration of the responsibility than has the able and distinguished gentleman from Oklahoma [Mr. JOHNSON].

The attitude of the entire committee was to economize, was to reduce, was to make cuts. My own considered and deliberate opinion and judgment is that this bill has been cut beyond a degree where it should have been. It has been cut to the point that certain essential activities of Government are going to suffer, and unless some of those cuts are restored, either by this Committee or when this bill reaches the other body, a most important agency in our American system of Government—the Interior Department—in the most critical time of our Nation's existence, is going to suffer, and suffer substantially.

I know there are certain personal feelings that reflect themselves, sometimes improperly so in my judgment, in the matter of writing an appropriation measure. I know there are some Members here who do not have the same acquaintanceship, the same knowledge of the able and distinguished Secretary of the Interior, Harold Ickes, that I do, who believe that cuts should be made, merely because that individual heads the Department. For my part, I am glad to say that even though there may be times when the Secretary would appear to be very direct, in my judgment he is one of America's great men, and he heads one of the great departments of this Government.

Harold Ickes is an intelligent, able, forceful, courageous, and patriotic man. In all that he has done—and he has done much for the great West—the breath of scandal has never touched his garments. The department he heads has spent billions of dollars—not millions but billions of dollars—since 1933. Some of us may differ with the wisdom of the expenditures, but no man can stand upon this floor or anywhere else and challenge the integrity of the man who has directed the expenditures, Harold L. Ickes.

I want to pay passing tribute to the clerk who prepared these hearings. They are splendidly indexed and well edited. For the first time a young man in the Appropriations Committee, who in keeping with the best traditions of the clerical staff of that committee, Bob Williams, had charge of editing these hearings, and is entitled to great credit; he did his work under the able direction of Jim Scanlon, editor in chief. Then, of course, the clerk of this committee, Bill Duvall, to whom we all turn for information and advice, is always entitled to commendation.

I am particularly interested in reclamation, and I will tell you why. I have only one small Federal reclamation project in my district. It is a very insignificant one. Six years ago when I was assigned by the then chairman of the Appropriations Committee to the Interior Department subcommittee, I was told by that chairman that from that time on, so long as I remained here, he wanted me to become familiar with reclamation and to take the laboring oar in connection with it. That was our much beloved and great chairman, Ed Taylor. I have tried to be faithful to the responsibility he imposed upon me. I have tried to familiarize myself fully on that subject.

I have tried to view reclamation not as a matter affecting my district or my State, but as one affecting the entire United States, and I have sought, beyond the understanding of some of my colleagues on the committee to get more liberal allowances for reclamation, because I could see in it not alone the development and salvation of the great West, but in large measure a great contributing factor to making America great and powerful as she is at this time.

This year reclamation, so far as bringing water to arid acres is concerned, is dreadfully curtailed; I think injuriously and harmfully curtailed. I believe the wisest thing we could do would be to add \$8,000,000 to \$10,000,000 for reclamation of lands, insofar as it could be carried on, where priorities are not involved, because every agricultural commodity that is going to be produced in the West is certainly going to be needed in this next year. Reclamation has been reduced very largely to only a development of projects that have to do with increasing the electrical energy output of the Nation. I fortunately come from a district that has within it the greatest power project in all the world. I refer to Grand Coulee Dam. For 6 years I have worked earnestly to see it fully completed and I have had splendid support. It is now about completed. The dam itself is finished, two giant generators are turning now—each of them producing enough electrical energy to take care of the needs of a city of 300,000 people. If the appropriation carried in the pending bill is allowed, within 2 years seven additional generators will be installed. An additional powerhouse is being built on the east side of the dam that will house 9 more of these mighty giants. I am proud of my contribution to this unusual project. All reclamation has been taken out of the Grand Coulee project for the time being. Donald Nelson, Chief of the War Production Board, has carefully examined the estimates for Grand Coulee, Bonneville, and those involving the other major power projects. In these hearings you will find his letter in response to one by the chairman written last week, stating that it was his considered and deliberate judgment that every one of these projects should move forward as rapidly as possible because of the part they play in the war effort. He also recognized their right to priorities. So I am trusting at least that the members of this committee will not reduce these items. I say to you that if you feel the urge of economy upon you so strongly that you must cut them, you had just as well cut them out entirely and assume the whole responsibility for it insofar as it would hinder our war effort. We know what will take place: They will be transferred, as they will have to be, because the needs of the Nation are such that they cannot get along without them—transferred to the War Department, the Navy Department, or some new agency, and the cost of administration would likely go up manyfold.

On other reclamation projects—those in California I have in mind particularly—there are some slight increases made. In my judgment the increases to bring additional land here are wise

and essential. I disagreed with changes that affected power projects on Central Valley, but I am not going to take time to discuss that at length now.

Reclamation is about 30 percent of this whole bill, and nearly all of that deals with power. The gentleman from Pennsylvania, the ranking Member on the minority side, said that Bonneville ought to be cut further in the item "marketing." Let me tell you something about this, because it will undoubtedly come up tomorrow—something in connection with this item of "marketing." It does not stand alone any more than travel pay as it appears through these various bills is travel expense standing alone.

[Here the gavel fell.]

Mr. SHEPPARD. Mr. Chairman, I yield 5 additional minutes to the gentleman from Washington.

Mr. LEAVY. Travel pay includes per diem in practically every instance. The same here for the Bonneville item that has been designated "marketing." It is the operation and maintenance of hundreds of miles of lines and scores of great substations. To cut those down beyond that which is wise is merely to make useless great facilities that must operate 24 hours a day, because 40 percent of the aluminum production in the next year is going to come from out in the region supplied by the power from Bonneville and Grand Coulee, and it would be a matter of short-sightedness and foolishness to reduce them. It would be a national calamity.

Reference was made to grazing. Grazing, of course, cannot be directly tied in to national defense, but it is certainly a second line of defense. Do you know that the grazing agency of this country has to administer 200,000,000 acres of land? And do you know that our beef production and our wool production is dependent on how that great estate is administered?

Reference is made to the Park Service. I agree that under existing conditions perhaps it should be reduced over what it was last year. Now do you realize that the Park Service has been reduced from \$14,000,000 for the current year to \$5,000,000 for next year? Would you ask a further reduction without a very careful consideration?

In conclusion, Mr. Chairman, may I say that there was not a great amount of discord on the part of the subcommittee in the writing of this bill. We discussed matters pro and con at great length, but we gave serious, careful, earnest consideration to every item, and as I said a moment ago, we cut some beyond what they should have been cut, in my opinion. If you propose a further cut, be sure that you familiarize yourself with the facts surrounding that particular activity and can say with a degree of certainty that you should possess that there ought to be further cuts made. Likewise, if you propose an increase you ought to be able to prove that, too, by the facts.

We, this committee, your agents, have done the best we could in writing the bill here, and I hope that no Member, for the mere satisfaction of saying, "I tried to

cut it again," will come in and attempt to reduce a bill that has already been cut 40 percent.

I want to make this assertion—and I challenge anyone to deny it—that 50 percent of the amount in this bill for the next fiscal year goes to national defense. If you cut those items, then wait a few days when we will have a seventeen-and-one-half-billion-dollar national defense bill in here, and fine-tooth comb that a little.

Mr. MONRONEY. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. The gentleman is to be congratulated on the 40-percent reduction; also, I understand that the careful work of the committee in combining through this appropriation has eliminated approximately 25 percent of the travel amount. Would the gentleman be good enough to insert in the RECORD the comparative figures for 1942 and 1943? Because of the great reductions made in the bill below the Budget, it is impossible to know exactly how much of this appropriation will be allocated to travel.

Mr. LEAVY. I will be delighted to do that. It is as follows:

Comparative statement of appropriations and estimates for travel and amounts recommended in bill

Bureau or office	Estimated obligations for travel		
	Appropriations for 1942	Budget estimates for 1943	Amounts recommended in bill for 1943
Office of the Secretary.....	\$442,945	\$315,257	\$203,956
Commission of Fine Arts.....	5,100	5,100	2,500
Bonneville Power Administration.....	320,000	477,000	320,000
United States High Commissioner to the Philippine Islands.....	38,000	8,000	6,000
General Land Office.....	250,740	180,490	160,350
Bureau of Indian Affairs.....	627,934	605,049	502,740
Bureau of Reclamation.....	227,564	193,905	151,308
Geological Survey.....	436,954	278,107	251,557
Bureau of Mines.....	308,035	426,882	387,933
National Park Service.....	110,816	380,660	380,660
Fish and Wildlife Service.....	378,482	306,669	255,769
Government in the Territories.....	21,573	30,073	25,350
Total.....	3,138,143	2,907,292	2,335,963

	Amount	Percentage
Reductions by committee:		
Under 1943 Budget.....	\$571,329	19.6
Under 1942 appropriations.....	802,180	25.5

I thank my colleagues for so patiently listening to me, and I trust I have helped, at least in a small way, to a better understanding of this important bill.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. LAMBERTSON].

CHAMPION BOONDOGGLE OF 1935 BLOSSOMS INTO COMMON PARKING LOT IN 1942

Mr. LAMBERTSON. Mr. Chairman, the champion boondoggle of 1935, the projected \$30,000,000 Jefferson National Expansion Memorial in St. Louis is about to blossom forth in 1942 as a common

parking lot. This I predicted years ago. Many of the Members present will no doubt recall the early history of the project. You will remember that when we were asked to pass the joint resolution creating the United States Territorial Expansion Memorial Commission, we wrote into the resolution a disclaimer of any responsibility on the part of the United States.

At that time the proponents of the resolution disclaimed any intention of coming to Congress for funds, and technically they have kept that promise. However, the ink was hardly dry upon the President's signature making the resolution a law before the promoters were looking for some way to hook the Government, so it came to pass that in the spring of 1935, Architect Louis Le Baume, acting for a group of St. Louisans, applied to the Public Works Administration for a loan and grant of \$22,015,000. This original application catalogued as Missouri Docket No. 1006, was turned down when the engineers reported:

The proposed project has social desirability but cannot be classed as a public necessity.

Meanwhile the citizens of St. Louis were given all kinds of assurance the memorial was sure to be built at once. Mayor Dickmann promised to "have the dirt flying on the river front in 10 days," if only the people would cooperate and vote some local money at the special election to be held on September 10, 1935.

In spite of all these wild promises, the election did not attract the people, and we were not surprised to find out later that a favorable return for the bond-issue proposals had been obtained by frauds in every ward in which the proposals carried.

After the September 1935 election, Mayor Dickmann hustled down to Washington to get \$22,500,000 in Federal funds for the project, as he had promised the people he would do.

But when Attorney General Cummings held that this sum could not be allocated for the project, because it was not available, Mayor Dickmann retired from the Washington scene, but only for a few days. Then he returned and pulled every conceivable string, until, finally, the President, by Executive order, allocated \$6,750,000 of Emergency Relief funds to the project, to be matched by \$2,250,000 of the funds of the city of St. Louis.

Thus the project was whittled down from \$30,000,000 to \$9,000,000. But the promoters did not whittle down their appetites one iota. They kept right on promoting, and so it came to pass the Government finally acquired all of the projected site, 37 blocks in all, by condemnation, over the protests of many of the property owners, evicted some of the tenants, and during 1939 and 1940 they wrecked the buildings and spent nearly all of the Federal and the contributed funds as well.

So here we are in 1942 looking over the wreckage of what was started here in 1934. What was once a busy commercial and manufacturing section of downtown St. Louis is today only a wind-swept waste of broken bricks and mortar

which the National Park Service is trying to cover up with earth and clay hauled to the site and distributed with W. P. A. workers.

The \$9,000,000 has nearly all been spent, and when June 30, 1943, comes around I predict it will be more than spent if the Budget figures are correct. Yet the memorial is as far away as Mrs. O'Leary's stable and cow pasture is from the heart of Chicago, which I suggested might just as well be restored.

Mr. Chairman, last week I learned that National Park Concessions, Inc., a non-profit organization working with the approval of the National Park Service, is conducting a survey of the parking situation in St. Louis to determine whether or not to establish a temporary parking lot on the memorial site. Think of it—a parking lot on this \$9,000,000 site. Now, this is the same corporation that operates concessions at Mammoth Cave, in Kentucky. I would like to suggest that in their survey of the St. Louis situation they also study the past history of this famous boondoggle, with a view to working out some kind of a side agreement with former Mayor Dickmann and the rest of the memorial promoters, whereby a little space in Mammoth Cave might be reserved for these gentlemen in which to shed their tears and hide their disappointments.

At that, some of them must have gotten more than they expected after the St. Louis Post-Dispatch and the St. Louis Star-Times exposed the corruption in connection with that special bond-issue election in September 1935. But our officials here in Washington were not interested in the ethics of the matter, so St. Louis got its memorial, fraud and all.

Now, what did they get? Nothing much to brag about. The city lost the income from all the taxable property in the area, and, besides, have to pay the annual interest on the \$2,250,000 worth of bonds that were sold to make up the city's contribution. The Federal Government is out \$6,750,000 for the property and will have to pay the interest on this money for many years to come.

So I say this was the champion boondoggle of 1935, for everybody lost, and not even Thomas Jefferson has been glorified.

Watch this champion boondoggle now blossom into a common parking lot. And let us resolve to write "finished" to its career here as far as appropriations go.

Mr. RICH. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. WINTER].

Mr. WINTER. Mr. Chairman, I have taken this time to discuss what to my mind is a very serious situation which involves Stephen, or H. S. Raushenbush, chief of the Research and Planning Section of the Power Division of the Department of the Interior, whose salary is included in this appropriation bill, and which vitally affects the very fabric of free enterprise in America.

On December 1, 1941, in a speech on the floor of the House I charged Mr. Raushenbush with being a Socialist-Communist, and a draftsman of the blueprint of communism for America, and I quoted from

a statement which I charged Raushenbush made to a group of Communists and Socialists.

Mr. Raushenbush took exception to this statement and wrote me denying that he was either a Socialist or a Communist and stated that in the speech I referred to he spoke as a liberal to a gathering of liberals and Socialists. Parenthetically it is a known fact that actual members of the Communist Party can and do publicly disavow membership—whether Raushenbush was and is an actual member of the party is immaterial. Communism is not only a political party in America but a political theory with as many shades of pink as Joseph's cloak.

Rather than injure an innocent man I looked up Raushenbush's history. I have his life story—chapter and verse—and he adheres to the theory of communism whether he belongs to the party or not. He is one of the original and principal architects of the so-called new order. His long-time aim is the destruction of the profit system—free enterprise—the American way of life. His immediate objective, admittedly, is the destruction of the major sections of our industrial system beginning with the production of electric power.

In this book, *The Socialism of Our Times*, published in 1929, Raushenbush wrote:

While the long-time aim of the liberal and radical groups is the abolition of the profit system for private use, our present strategy should be to make and take every opportunity to prove that there is something better than the profit system. Within the next 10 years we are going to have a chance such as we have not had for the last 40.

Raushenbush differs, not as to objectives, but only as to methods by which these objectives can be obtained in liberty-loving America. According to his own words, he long ago realized that the frontal assault by violence in the United States could not obtain the objective of a Communist state and with confessed reluctance abandoned the idea of overturning the Government by bloodshed and violence by which the minority would impose its will on the majority, for the more practical approach to the Communist state by means of "encroaching control."

Listen to what Raushenbush wrote and which is recorded on page 83 of this book, *The Socialism of Our Times*:

The very subject Transitional State implies that we have accepted the alternative of encroaching control in place of the dream of cataclysmic socialism which has engrossed people dissatisfied with the world for so many years. * * * It is not pleasant to give up that dream of violent triumph. We are sensitive about it.

Despite his reluctance to abandon a violent triumph he urged his proposed technique of encroaching control as more practical to the American nature of things than the method adopted by the murderers of the Kremlin in 1917. He advised his fellow travelers to lay aside the dream of violent triumph—revolution and civil war, if you please—merely on the grounds that it is not, and I quote his own language, "pragmatic."

He urged a Uriah Heap system of worming from within since he recognized that neither bullets nor ballots could persuade the American people to depart from free enterprise and democracy and adopt the totalitarian scheme of the Marxian state.

No; Raushenbush never actually joined the Communist Party—so he says—but few more energetic, few more clever operatives ever sought to destroy the America of Washington, Jefferson, and Lincoln than he. His whole life record is that of an ardent, clever—and I might add "slick"—worker for the Marxian dream of a Communist state in the United States. I charge that he believes in communizing America and is doing his subtle best to achieve that end.

Mr. RICH. Will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Pennsylvania.

Mr. RICH. From where does this gentleman hail?

Mr. WINTER. I do not know where he hails from, but I know where he is working. He is in the Interior Department, Power Division; Chief of the Power Division of the Department of the Interior of the United States Government.

Mr. RICH. Where did he make those statements that the gentleman is referring to?

Mr. WINTER. He made one of them in a speech he was making to a group of liberals and socialists, as he says, in New York City, and the second that I quoted he wrote in this book.

Mr. RICH. The gentleman is quoting from him?

Mr. WINTER. Yes.

Mr. RICH. He has made some very bad statements and it seems to me the F. B. I. ought to investigate that gentleman.

Mr. WINTER. They certainly should, and he should not be on the pay roll.

Mr. LEAVY. Will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Washington.

Mr. LEAVY. I know the gentleman wants to be accurate in his statement of facts that are within his knowledge to ascertain. He states that Mr. Raushenbush is Chief of the Power Division?

Mr. WINTER. I beg your pardon. The research and planning division of the Power Division.

Mr. LEAVY. I know he never appeared before our committee.

Mr. WINTER. That is true. He is chief of the research and planning section of the Power Division of the Department of the Interior.

Mr. LEAVY. So far as I know the Chief of the Power Division is a perfect gentleman.

Mr. RICH. Will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Pennsylvania.

Mr. RICH. It seems to me that the majority side of the House should call a special meeting of our subcommittee, call that gentleman before us and find out whether these statements are true. If they are, it seems to me the responsibility is on us and if he is down there

in that department advocating those things we ought to write something in this bill that will eliminate him from the Department of the Interior.

Mr. WINTER. Raushenbush is on record as supporting political ownership and political operation of all basic industries, of which electric utilities would be the starting point. If that is not communism what is it? Call it Marxism, call it socialism, or give it a dash of eau de cologne and call it industrial democracy, it remains the same, the death of free enterprise which is the good right arm of democracy.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Idaho.

Mr. WHITE. The gentleman speaks about free enterprise. Does not the gentleman think these natural monopolies must be controlled?

Mr. WINTER. I certainly do. I think they should be controlled, but I do not think they should be taken over lock, stock, and barrel, and have everybody working for the state.

Mr. WHITE. Is there any other way of controlling them except through Government control?

Mr. WINTER. I do not care to argue that with the gentleman here. I should like to finish the remarks I have to make.

Mr. WHITE. I thank the gentleman for his courtesy.

Mr. WINTER. As long ago as 1927 Raushenbush, in the New Leader, the then official Socialist newspaper of the Socialist Party in America, speaking of the electric industry wrote:

Here is an industry in which \$8,000,000,000 are invested already and another billion is added every 2 years. We have made three attempts at control A fourth attempt, which I look upon as much more hopeful, is the one which seeks to set up through Government ownership at Muscle Shoals, at Boulder Dam, and on the St. Lawrence, yardsticks by which the efficiency of private ownership under regulation may be measured.

Elsewhere in this same article Raushenbush wrote:

We cannot hope to take over the whole \$8,000,000,000 industry successfully, even if it were generally thought advisable to do so at the moment. . . . But a scattered series of great generating plants selling their power within 300-mile radiuses might be expected to have a very considerable influence upon the extension of public ownership to the transmission lines and the whole industry.

In another paragraph in this same article Raushenbush wrote:

Our long-time aim is the abolition of the profit system for private use. Our strategy is to make and take every opportunity to prove that it works. We must force our experts on agriculture, trusts, coal, power, subways, housing, milk, etc., to tell us correctly which the next steps are, and then take them and identify ourselves with their success.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Pennsylvania.

Mr. RICH. Where did he make that statement, in New York also?

Mr. WINTER. Yes. That is one of the statements he made before this So-

cialist and Communist group, that I charged he was making, and he said he was speaking to liberals and Socialists.

Mr. RICH. What prompted him to make those statements? Does the gentleman believe that is his belief?

Mr. WINTER. I think he believed what he was writing. His whole life history goes along this same line. He was speaking to a group of liberals and, he says, Socialists.

Mr. RICH. He is down in the Department of the Interior under Secretary Ickes?

Mr. WINTER. Yes; right now.

Mr. RICH. We, as Members of Congress, permit these Communists to infest the bureaus. Evidently the responsibility seems to be ours. I am going to ask the chairman of the subcommittee if he will not call a special meeting of our subcommittee and call this Mr. Raushenbush before us, and I hope we can get these statements.

Mr. WINTER. You certainly can. You can have them any time and many more.

Mr. RICH. We should ask him and find out whether these are his ideas. If they are, it seems to me it is about time that we clean up this Government and clean it quickly, before they clean us up and cause us to lose our form of government and our liberty.

Mr. WINTER. I hope the gentleman can be successful.

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. I want to question the statement of the gentleman from Idaho that electricity is a natural monopoly. Coal and natural gas are, but electricity is made; it is not a natural monopoly.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Washington.

Mr. LEAVY. Does not the gentleman now feel that Boulder Dam, Bonneville, Grand Coulee, and even the T. V. A., with its various dams, are a godsend to the Nation and a blessing in this hour of trial?

Mr. WINTER. I think they are one of the finest things we have. I am not arguing that point at all.

Mr. LEAVY. The gentleman does not mean to advocate that they should be turned over to the private power companies?

Mr. WINTER. I am not arguing that point here at all.

Mr. LEAVY. The gentleman would not advocate that?

Mr. WINTER. No, I never have.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Does the gentleman know anything about the book Mr. Raushenbush wrote entitled "The March of Fascism"?

Mr. WINTER. He sent it to me and asked me if I would read it. I have gone through about half of it. It is a very, very illuminating document. If the gen-

tleman would like to borrow it, I should be glad to let him have it and read it.

Let me quote further from Raushenbush:

In this same New Leader article Raushenbush explained why the violent triumph, that he is so sensitive about giving up, is not a pragmatic approach to communism in America. He wrote:

We have no caste system in this country. We do not have quite the inferiority complex of the European workers upon which to found our philosophy. The workers of this country are climbing through marriage, the education of their children, and the like, out of the proletariat as rapidly as they can go about the business. . . . The chances are against the amalgamation in the near future of these various class struggles into one against the whole profit system.

In other words, free enterprise and democracy are so successful in this country that the public just is not interested in communism, so the new order must find a way to make America over in the Communist pattern without the people of the Nation being any the wiser until it is too late.

Mr. Raushenbush, years before the New Deal came to power, preached adoption of a method of achieving the planned state in America without resort either to the violence of bullets and bayonets which had proven successful in Russia or to a coalition of voters which proved sufficiently successful in France to cause the political confusion which led to the defeat of that nation.

Raushenbush always rejected both bullets and ballots as a means to overthrow the American way of life. He said neither method was practical to the American scene. He advocated the Uriah Heep method of boring from within. He suggested that all young liberals coming from colleges, avoiding formal membership in radical party organizations, should infiltrate into the service of the Federal Government and by the process of promotion obtain key positions from which they could wreck the American system of free enterprise. He proposed that the first key industry to be wrecked and taken over by the Federal Government must be the electric-power industry.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield 5 additional minutes to the gentleman from Kansas.

Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Pennsylvania.

Mr. RICH. I wonder if the gentleman from Washington would subscribe to the doctrine as advocated by this gentleman of taking over all industrial enterprise.

Mr. LEAVY. I do not think I should be called upon to subscribe to any other person's doctrines. Frankly, I do not think this is the place where we can try people, but if the House feels that it should pass upon the reputation, character, and philosophy of some particular individual, that is a matter for their concern. I frankly tell you that I believe those great projects we have in the West—

Mr. RICH. That is not the question I asked. I am asking whether the gentle-

man subscribes to the doctrine of taking over all industry, as advocated by this gentleman.

Mr. LEAVY. In the first place, I do not know whether that is that man's doctrine or not. That is not my doctrine and I do not subscribe to it.

Mr. RICH. The gentleman has answered the question. I am glad to know it is not his doctrine. It is not mine, either.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Ohio.

Mr. JONES. May I point out that last year the Department of Justice in the Department of Justice appropriation bill had \$100,000 of the funds for the F. B. I. earmarked for an investigation of all subversive people and groups in all the departments. If you look at the hearings on the Justice Department appropriation bill for the fiscal year 1943 you will find that the F. B. I. has made a report, and this man may be in the report, but the Attorney General of the United States has stood in the way of the Congress getting that report. We could then act intelligently without having to try people on this floor. We are being thwarted by the Attorney General of the United States by his keeping Mr. Hoover, the F. B. I. Director, from giving Congress a report. This is the reason it is necessary for the gentleman to take the floor to expose the philosophy of this Mr. Raushenbush among many others, and in passing I may say that in 189 cases where the F. B. I. sent reports to the department heads, they received no replies. In 11 cases only did the department heads dismiss such employees.

Mr. WINTER. I thank the gentleman.

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield.

Mr. LAMBERTSON. I think the gentleman from Washington [Mr. LEAVY] will be delighted to hear your honest opinion because it is not often we have a man who is not running for reelection from whom we can get the low-down from a good legal mind.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield.

Mr. BULWINKLE. I want to say to the gentleman I agree with what he is saying about this matter and I cannot understand how we can get away from this statement. Just let me read you this sentence which I do not think the gentleman has read, in which he says:

We have to give up our dream—our dream—of a violent overthrow of the Government.

I do not know what kind of a doctrine it is that a man preaches, I do not care where he is, that man ought not to be in the service of this Government and there is no question about it, unless he can show that he has changed entirely. [Here the gavel fell.]

Mr. JONES. Mr. Chairman, I yield the gentleman from Kansas 5 additional minutes.

Mr. BULWINKLE. I repeat, unless he can show that he has changed his sentiment since he wrote this in 1929.

Mr. WINTER. Those are my sentiments exactly and I am glad to hear the distinguished gentleman make that statement.

Mr. BULWINKLE. And this was copyrighted in June 1929.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman.

Mr. SMITH of Ohio. That was perhaps before he had a position in the Government. They are not so anxious to overthrow the Government once they get on the inside.

Mr. WINTER. I think that is true.

Once all manufacturing and most of the transportation and commercial life of the Nation became dependent upon the Federal Government for its lifeblood, electric power, a few shrewd officials in control of that power would find easy the bureaucratic conquest of the balance of the free enterprise economy of America, the Siamese twin of our free democratic system, the one of which cannot live without the other.

One of the most significant paragraphs from the Raushenbush outline for a sneak attack on free enterprise and the American way of life is to be found on page 86 of this book *The Socialism of Our Times*, when he wrote:

The students coming from the colleges today can do something more than be filled with wholesome and cleansing indignation. They can be of enormous use to the movement as Government officials, starting in small and definitely working on the reasonable hope that in the course of another 10 years we shall have Government control of a much more definite kind over our trusts, banks, and general industries; that there will be Government corporations operating and managing, not only the Port of New York and Muscle Shoals, but many other developments. There is a chance here for young men not only to keep the liberal groups informed about the dirty work going on and times and ways to prevent it, but also to look forward to careers of usefulness in executive positions, making the Government control over industry more adequate, pioneering in a field of essential importance.

And then further on, on page 86, is one of the most startling remarks of the whole article, in the light of the present key position Raushenbush holds as Chief of the research and planning section of the Power Division of the Department of the Interior:

One good man with his eyes, ears, and wits about him, inside the Department—whether it be the Interior where the oil scandal started and the Boulder Dam bill received most active support, or the Treasury, where the taxation scandals breed and the Government tax policies originate—can do more to perfect the technique of control over industry than a hundred men outside.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield.

Mr. SHEPPARD. I would like to ask the gentleman if this has ever been brought to the attention of the Secretary of the Interior, or does the gentleman know?

Mr. WINTER. Not to my knowledge.

Mr. TABER. Mr. Chairman, if the gentleman will yield, may I say he is pretty busy in the egg business?

Mr. WINTER. And then on page 85 of this book we find Mr. Raushenbush making this astounding statement:

This side of revolution (Russia, Italy, and Germany) we can only take what opportunities we can make ourselves or are offered for illustrations in socialist practice to convince both the workers and the middle class that we are right, that the abolition of the profit system is to their interest and will result in higher real wages, greater security, freedom from wars, and other forms of autocracy.

I wonder if he has changed his mind about the Fascist revolution since the day he wrote those amiable words?

Of course, since he presently disavows—as do 90 percent of all practicing Communists—his alliance with communism it must be embarrassing to him now to have his words, like birds of ill omen, come home to roost. I refer particularly to his quotation on the founder of communism, Lenin, as the shining exemplar for American "liberals," found on page 87 of this most illuminating document, wherein Raushenbush wrote:

The very idea of saying to people that you want Government ownership of railroads or electric power, not because it is eternally right, but because it is cheaper for the workers and can be so proved, will be hailed by some as a compromise or betrayal of socialism. But, as I understand it, Lenin himself summed up each situation by itself and met it as he could, practically and pragmatically, and after that was done sat down to write these long, dry theses of rationalization proving that Engels and Marx would have agreed.

At one time Raushenbush was a member of the executive committee of a well-known Socialist transmission belt organization known as the League for Industrial Democracy. He admitted to me in his letter that during his college days he was a member of a college organization called the Intercollegiate Socialist Society.

Raushenbush says he is not a Communist, that he is not a Socialist, but by his own published statements he establishes himself as a lifelong radical, with brains and ability, who practices his own preachings of boring into key positions where the most damage can be done to the American system of free enterprise.

We, as Members of Congress, hold a sacred obligation to the boys who are fighting and preparing to fight to save the four freedoms outlined in the Atlantic Charter to preserve for them, until the time when they shall return to the ways of peace, that American way of life which is embodied in our system of free enterprise. Congress can help to discharge that obligation by refusing to appropriate funds to pay the salaries of high Government officials who, in the name of liberalism, are seeking to break down great segments of our democratic system of free enterprise.

A good deal of confusion exists in this country about the meaning of communism. Because there is a Communist Party in America which is dedicated to the establishment of a Communist state by means of violent overthrow of our Government, it is natural that we should think of all Communists as believing in attaining their objectives by such means. In truth, communism is not a political party, but a political theory.

The Communist Party of America, as such, actually represents a sort of denomination in the whole religion of communism. At the time of the Russian revolution there were two major denominations of communism in Russia. The larger group were the Mensheviks, who did not believe in bloody revolutionary methods. The small group of Bolsheviks used the Mensheviks for a while, then turned on them and destroyed them as ruthlessly as they destroyed the land owners. Here in America not 10 percent of those who believe in a Communist state belong to the Communist Party or believe in revolution as the means of achieving a Communist state in this country.

They have shelved the violent triumph method merely because it is not realistic or practical. They are men of cunning and they realize that they are so vastly outnumbered and that there is so little genuine sentiment for their cause in this country that a revolutionary attempt would be a puny, farcical failure.

They are not without a plan, an alternative solution by which they can achieve a communist state in this country. It is a "realistic" plan, to use their own expression, for achieving their end without resort either to bullets or ballots.

They plan to seed their fellow travelers throughout the Government and by administrative action and abuse of power, force the direction of Government further and further to the left, toward communism. They plan to plant their bright young men in key positions where, unnoticed, they can work their mischief behind the scenes. In the name of liberalism and of reform they plan to break down our democratic system of economy.

No matter by what name you call it, this radical concept which Raushenbush has advocated all his life can be carried out only as a planned state, owned and controlled by a self-perpetuating bureaucracy, which in turn must be ruled by an inner clique of superplanners who have at their head a diabolically clever man as the dictator, the tyrant in the classical sense, who will tell the American people where and how to live, what and how much to eat, what to wear, and what and what not to think; control their religious worship and dictate their economic life. Freedom of speech, freedom of press, free enterprise—all the freedoms which have made America the greatest Nation on the face of the earth—would disappear if a Communist state should be achieved.

Day by day, termites who believe and work for that kind of a Federal Government, hundreds upon hundreds of them, are now operating along a definite plan as paid officials of the United States Government. Associated with them in many of these activities are hundreds more who are innocent, ignorant dupes who are blind to the direction in which their activities are taking this Nation.

That the Communist state of Russia happens to be, by an accident of history, the war ally of the democratic state of America, has no bearing on this issue. Russia would resent and resist infiltra-

tion of democratic doctrines into the Kremlin with far more vigor than we in America resist Communist infiltration. All praise to Russian defense of their homeland since that defense aids our war effort. But let us have no false sentimentality toward an alien political philosophy just because they are our allies. We don't have to like their sour-cream soup just because we happen to be in the same war with them.

We, as Members of Congress, have given a solemn oath to preserve our American institutions. We are honor-bound in this time of national danger and travail to all of our constituents, whom we are asking to give of their treasure, their sons, their blood, and their toil, to preserve at home the freedoms for which our boys are fighting and laying down their lives to defend.

Certainly the least we can do is to see that not one dime of the taxpayer's money is appropriated to pay the salary of any saboteurs of democracy who are operating from within the framework of our Government to promote a political theory at the expense of the freedoms which this Nation is giving its life's blood to defend.

Mr. RICH. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. JONES].

Mr. JONES. Mr. Chairman, if the gentlemen will look at the hearings at page 40 they will see something of the appetite of bureaucracy gone wild before the first bomb dropped at Pearl Harbor. Great credit has been given to the Secretary of the Interior. I have no personal feeling against him at all—if no praise. I differ over policy and the way he does things; I differ with his method. Look at this figure here of how much the Secretary asked for before Pearl Harbor and think of it. I asked him:

Mr. JONES. Then the amount you requested (from the Bureau of the Budget) was how much?

Secretary ICKES. Our total request was for \$349,756,568.

I would like to have known what program they had in mind with that amount of money. A few pages later the Secretary in the hearings claims great wisdom for being able to foresee that the Presidential office should not have shipped oil and scrap iron to Japan. He was one of the first that went out over the highways and byways to get us into this war. So, as I look at his budget request of \$349,756,568, I would like to know what was in it. I wonder if the Secretary had a scheme to fill the Grand Canyon with beer by means of a bucket brigade.

I wonder if the Secretary of the Interior would have proclaimed Fish and Wildlife as a super national-defense bureau. He might then have spent money to make black-out pants for lightning bugs. Sure national defense is in some parts of this bill. It is hard to draw the line where semination defense starts and where boondoggling stops. Even the shoe cobbler is in national defense. But MacArthur comes first.

Mr. Chairman, certainly we can put first things first, and we can deprive our-

selves of a lot of recreation in national parks, in favor of getting bombs and guns and tanks and equipment to our beleaguered forces throughout the four corners of the world. It is only a question of differing over points, and what comes first. I contend there is room for another \$15,000,000 cut in this bill, if we put first things first, and get the tanks and machinery and guns to MacArthur.

Now let us examine Mr. Ickes' cuts. It comes with poor grace, it seems to me, for the Secretary to wait until a near disaster comes over us at Pearl Harbor to say to the Budget Bureau, "You're a bunch of pikers; we will take a voluntary cut of \$10,000,000 more." I am thinking of another day a year ago The gentleman from Pennsylvania [Mr. RICH] asked the Secretary if we could not cut out some of these same expenditures. He asked him particularly about the information service, and if the gentleman will look at the hearings last year they will see where Mr. Ickes was proposing to illustrate and dramatize the department by means of cartoons. Yes; he did that, but the little lion of the penthouse on C and Twentieth Streets NW. did not have the courage to ask for superman comics for his annual report this year. The test of a man's frugality is: What did he do before Pearl Harbor?

Let us take a look at the record and see what took place last year on the regular supply bill. The amount of the Budget estimates for the 1942 fiscal year was \$186,496,348. The amount of the bill as it passed the House was \$177,027,078. The amount of the bill as it passed the Senate was \$185,119,813. You can see when it left the House, the Senate, had a few ideas of its own on raising the House version of the appropriation for the Interior Department by \$8,000,000.

Some items in the House side were lower than the Senate side; and some of the Senate side were lower than on the House side, but the conference took the highest figures in each case and reported the bill back to the House and the Senate that was \$3,206,110 above the Senate version of the bill and \$11,298,845 above the House version of the bill, making a total conference bill of \$188,325,923.

Vainly a few of us on the minority side, especially the gentleman from Pennsylvania, and I, tried to cut items from the bill. Not one cent were we successful in cutting.

Yes; there was loyalty on the part of the majority members of the committee—loyalty to the Secretary, belief in his program, and they were sincere about it; and I admire them for it, because he is a "Mouthful" of their party, but there was not one cent of cut. Every amendment was defeated, even to the amount of spending \$30,000 to put the Government into the park and hotel business in Alaska, where just a few patrons come to visit it.

I made a motion to recommit the bill when it was before the House, when it carried the sum of \$177,027,078. My motion to recommit would have sent the bill back to the committee with instructions to cut it to the 1941 appropriation of \$155,549,932.

Bear in mind that the 1941 bill only carried national defense items as claimed by the Department of \$38,875,400. For the benefit of those who might wish to

know what departments and agencies were claimed then as national defense, I wish to read to you the national defense items in the 1942 supply bill:

Appropriation items for national defense projects considered for the Interior bill for 1942

Appropriation title	Budget estimate	Approved by House	Approved by Senate
GENERAL OPERATIONS			
Bureau of Reclamation: Protection of reclamation projects.....			\$50,000
Geological Survey:			
Salaries.....	\$25,000	(1)	25,000
Topographic surveys (mapping for military use).....	987,500	(1)	987,500
Strategic and critical minerals.....	195,000	\$195,000	195,000
Total Geological Survey.....	1,207,500	195,000	1,207,500
Bureau of Mines:			
Mineral mining investigations (chromium studies).....	100,000	100,000	100,000
Economics of mineral industries.....	247,000	40,000	50,000
1. Scrap iron and steel statistics.....			
2. Cooperation with other American republics in production of strategic minerals.....			
Investigation of domestic sources of mineral supply.....	425,000	425,000	425,000
Helium plants and investigations.....	350,000	350,000	350,000
Manganese beneficiation pilot plants and research.....	930,000	930,000	930,000
Production of alumina from low-grade bauxite and aluminite.....	485,000		85,000
Total, Bureau of Mines.....	1,937,000	1,845,000	1,940,000
Fish and Wildlife Service: Inquiry respecting food fishes (surveys of stream pollution resulting from defense activities).....	35,000		35,000
Government in the Territories: Construction, operation, and maintenance of roads, Alaska.....	50,000		50,000
Total, general operations.....	3,229,500	2,040,000	3,282,500
GENERAL PUBLIC WORKS—(CONSTRUCTION)			
Bonneville Power Administration: Construction, operation, and maintenance, Bonneville power transmission system.....	18,142,900	18,142,900	18,142,900
Bureau of Reclamation:			
Reclamation fund:			
Kendrick project, Wyoming.....			200,000
General fund:			
Boulder Canyon project.....	1,000,000	1,000,000	1,000,000
Bullshead project, Arizona-Nevada.....	5,000,000	5,000,000	3,000,000
Parker Dam project, Arizona-California.....	2,000,000	2,000,000	2,000,000
Central Valley project, California.....	11,250,000	7,250,000	4,250,000
Grand Coulee Dam project, Washington.....	6,000,000	3,000,000	6,000,000
General investigations.....			1,000,000
Total, Bureau of Reclamation.....	25,250,000	18,250,000	17,450,000
Total, construction.....	43,392,900	36,392,900	35,592,900
Grand total.....	46,622,400	38,432,900	38,875,400

¹ Eliminated by House committee with recommendation that necessary funds for mapping for military use be appropriated to the War Department.

² Includes supplemental estimate submitted to the Senate in the amount of \$7,000 for statistics on scrap iron and steel (S. Doc. No. 61).

³ Supplemental estimate submitted to the Senate (S. Doc. No. 61).

⁴ The Senate amendment reducing this item added a contract authorization in the amount of \$10,000,000 for this project.

⁵ Includes supplemental estimate submitted to the Senate in the amount of \$3,000,000 (S. Doc. No. 61).

⁶ A Senate amendment also provided contract authorizations totaling \$7,450,000 for several reclamation projects including the following amounts for projects involving power development: Colorado-Big Thompson project, \$1,500,000; and Boise project, Anderson ranch, \$500,000. Senate amendments also transferred construction and administrative expense funds totaling \$6,950,000 from the reclamation fund to the general fund, thus permitting construction to proceed more expeditiously on several projects involving power development which are related to the national defense program.

I would not be surprised but that real national defense is confined to these same bureaus in the 1943 bill. I do not think there is any doubt but what we have been boondoggled out of the difference between the \$38,875,400 claimed by the Department as national defense and the \$188,000,000 as passed by the adoption of the conference report of the 1942 Interior Department supply bill.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. JONES. I yield.

Mr. SMITH of Ohio. Am I to understand that all this praise which was showered upon the Secretary of the Interior this afternoon by the chairman of the subcommittee, that he had of his own free will volunteered a reduction of \$10,000,000 in the appropriation for the Department of the Interior, that involved

the \$349,000,000? Is that the figure he based his reduction on?

Mr. JONES. No. It is worse than that. Before Pearl Harbor Secretary Ickes asked for \$349,756,568. Then the Budget Bureau cut the amount down to a figure \$50,163,179 under the appropriations for last year. The Budget Bureau sliced \$161,818,467 from Mr. Ickes' pipe dream of \$349,756,568, leaving \$187,938,101.

Mr. SMITH of Ohio. Where does the \$10,000,000 reduction come in?

Mr. JONES. Then the \$10,000,000 was taken from \$187,938,101. You can see it on pages 4, 26, and 36 of the hearings. Then came the war, and Mr. Ickes has the effrontery to tell the Budget Bureau he is taking another cut of \$9,811,360. Then, in effect, the Secretary said to the Budget Bureau, "You are all wrong. You missed some of my boon-

doggie. I can find \$10,000,000 more you can cut."

Mr. SMITH of Ohio. That was some of this padding he had fixed up in the first place?

Mr. JONES. Then the committee received additional estimates of \$2,190,525 and you add that to \$178,126,000 and you see how the Budget estimate on page 47 of the report was arrived at. The committee cut \$17,682,421 from that and you have the amount of \$162,634,000 in round numbers in the bill before you for consideration.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. RICH. My colleague from Ohio [Mr. JONES] since he has been a member of this subcommittee, has been for cutting down these expenditures in government. One instance the gentleman might tell the House about is Secretary Ickes and his organization spending over three and a half million dollars in setting this country up in the sugar and rum business in the Virgin Islands, and then after they spent that money they incorporated for \$30. This last year they went in the red \$60,000 on a \$30 capitalization. That is some business enterprise.

Mr. JONES. You can refer to the hearings this year and last year. The gentleman has covered that each time in the hearings.

In addition to the amounts appropriated last year in the deficiency and in the regular supply bill, look at page 34 and you will see the amounts that have been transferred from other departments of Government, from the President's emergency fund, to bring the total amounts of funds in the hands of the Secretary of the Interior, over and above the amounts that we appropriated to him.

On page 35 you will find the Ramspeck promotions carried in this bill are \$571,250. Turning to page 45 of the hearings you will see there the report of the cost of the Information Service. We maintain an Information Service at each of the branches of Government. They can give you information on anything except what they cost the Government—the taxpayers.

I tried last year to get the cost and if you will refer to the hearings, page 1139, last year you will find where they reported "information" cost for the Department of the Interior was \$76,530. This answer was given to the following question:

Mr. JONES. Would it be possible to put in the record a detailed statement of the cost of the entire Information Service of the Department of the Interior?

This year I took it up with them and I told them:

In regard to the Information Service of the Department of the Interior, last year I asked for a complete break-down showing the total cost of the Information Service, but I do not think the answer to the question was entirely comprehensive. It covered the personnel, but I want for the record a statement showing the paper cost, distribution cost, cost of messenger service, etc. I would like to get an answer to that question again this year, giving the entire or total cost. What

further need is there for this Information Service at this time, in view of the fact that after Pearl Harbor we have a united country?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. RICH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. JONES. If you will look at pages 44, 45, 46, and 185 of the hearings you will find very unsatisfactory answers as to the cost of the Information Service. On page 185 I am given a figure by Mr. Straus. Just listen how misleading it is. Mr. Straus says:

For the departmental information service which includes my office; the photographic section which services all of the 12 bureaus, such as the Bureau of Reclamation, the National Park Service, and so forth, and all of the service from publication section through which every item passes that goes from the bureau or any department to the Printing Office such as those standard forms and the other items; and also for the radio section serving all bureaus and the Department—the total was \$97,360.

That sounds like the "real McCoy." But let me give you the break-down that I have figured from letters that followed these unsatisfactory answers when I saw them appear in the hearings. I will give them to you. Just think of the time and effort it has taken to get this information.

For publications in the Department of the Interior it cost a total, for 369 man-years of personnel, \$879,379; other obligations, \$550,499; making a total for publications of \$1,429,878.

Now, we will turn to press service. For total personnel services, 30 man-years, salary \$64,898; other obligations, \$4,178; making a total of \$69,076.

For radio broadcasting, for 9.95 man years, \$28,612 in salaries; other obligations, \$3,929; making a total of \$32,541.

I will put in the RECORD a complete statement of the different categories from radio broadcasting, group contacts, paid advertisements, exhibits, motion pictures, lantern slides and like material, photography, correspondence, individual contacts, educational cooperation with schools; posters; making a total of \$1,765,471 for salaries, and \$665,306 other obligations, making a total cost of \$2,430,777.

Mind you, this is the kind of expenditure after Pearl Harbor. I tried to get figures for the current year—these are for the fiscal year 1941. The best and latest figures I could get are the ones I have submitted. I asked the Clerk to send down for them. They included those they were required by law to get out and then the press service sneaked in others as mimeograph operators. I still have not got a satisfactory answer I can analyze tonight. The total amount for personnel included in this exhibit is \$2,000,000 plus for publication and propaganda service. It covers a total of 115 full-time employees and 1,918 part-time employees. It took the gentleman from Massachusetts [Mr. WIGGLESWORTH] a year and a half to get from the Bureau of the Budget the break-down of personnel as I have it here. The break-down of the figures given to me by the Department of the Interior does not show any such break-down, but shows a total of

man-hours, 723.3 for the entire Department, and in the field. There is a sample of the arrogance of the departments, and it shows you how far the bureaucratic tail of Government has gone in wagging the dog.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. RICH. Can the gentleman by any stretch of the imagination see anything in the matters he speaks of that aids national defense?

Mr. JONES. I cannot think of a thing in it that aids national defense. The only thing this activity does is to disturb our people and put class against class in a power fight where public and private interests should unite to produce goods and guns for MacArthur's forces.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield 5 additional minutes to the gentleman from Ohio.

Mr. JONES. For several years we have discussed the Jefferson Memorial. This year you will see from the testimony on page 43 of the hearings that the Park Service is still continuing to use city of St. Louis funds as trust funds to sponsor a W. P. A. project. This Congress let its mandate be known to the Department by saying that it did not want any more Federal funds spent on the St. Louis memorial project. The Park Service uses this subterfuge to get around the positive mandate of Congress; and by reading page 47 of the hearings you will find another case of the arrogance of the Department of the Interior where I asked the Secretary about the entertainment of British soldiers and sailors in the parks of the United States. The disquieting thing that stands out like a sore thumb in the answers to all these questions is that nobody knows when we get through with the examination who paid for this entertainment. I insist that the Secretary of the Interior or the head of any other department coming before our committees should answer fully and completely and not play hide-and-go seek with a Member of Congress whether he be a member of the majority or minority party. Mr. Ickes said—and I will put this in the RECORD more fully when I revise my remarks:

I do not think you need to explain that further, Mr. Bulew.

I believe we are entitled to a full explanation at any time we want it.

Further taking up the matter of the publicity of the Department, we have \$2,430,000 now for publicity. You will find in the hearings at pages 108 to 114 a discussion of the Tugwell plan of resettlement of the Puerto Ricans. I asked Mr. Swope, of the Division of Territories, to furnish enough copies for each member of the subcommittee and several Members of Congress who had asked me for a copy, asked them to bring it with them when they came to testify the next morning. The next morning it developed that they had forgotten to get the report. Thus they could not be examined on it. They did bring up two copies in the afternoon when the testimony had been completed—two copies, one for the clerk and one for me.

The Solicitor's Office carries the sum of \$322,720. With the cuts that have been made in this supply bill it seems to me we ought to be able to cut his office considerably.

On page 145 you will find the Soil and Moisture Conservation item of \$1,300,000. This effort has been going on for a good many years, but in the interest of the war effort, certainly for 1 year we ought to be able to cut out this item in order to get equipment to MacArthur.

On page 324 of the hearings you will find that for the investigation of reclamation projects they are asking this year, the fiscal year 1943, for \$1,450,000.

Mr. TABER. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from New York.

Mr. TABER. Is a lot of that money spent for printing these nice picture books that have been sent out all over the country?

Mr. JONES. I think it has.

Mr. TABER. To entertain the babies?

Mr. JONES. That is right, of all kinds. You will find in the hearings an entire and complete study of the park situation that was ordered before Pearl Harbor, and which serves no useful purpose now. It might just as well have been eliminated. It is now selling at the Government Printing Office for \$1.25 each. The point is, could we have gotten along without it, not how much you get for it.

I ask you to look at page 324 of the hearings. You will see there the number of projects that have been completed or will be completed with 1942 funds.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. JONES. Mr. Chairman, last year they had \$1,750,000 for investigations. They have a backlog of investigative work that covers somewhere around 17 States. With the funds already given them they have completed and have ready for construction \$453,197,784 worth of public works that they can go on with. The investigation is completed with reference to that amount. That is enough of a backlog for post-war work. We can cut the entire amount for investigations during the fiscal year 1943 and we can pick it up after the war is over if we see it is necessary.

Mr. DONDERO. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from Michigan.

Mr. DONDERO. What was the total amount that the gentleman stated?

Mr. JONES. \$453,197,784.

Mr. AUGUST H. ANDRESEN. If you cut out that item you would throw some of these planners out of a job.

Mr. JONES. That is the whole issue, trying to save these fat officeholders who might go into productive war work, who might be designing tanks, and airplanes, and doing something for General MacArthur. They could be transferred to the Geological Survey to do topographic map work that is necessary for the War Department. But, no, they want to continue these investigations covering rivers in many States. You will find it all covered on page 326. It is not necessary, it

should be discontinued, and it will be a crime and a shame if there is 1 penny left in this bill for investigation in 1943.

On page 329 you will find the progress of the development of dams and power facilities, and I invite your attention to that item before we come to it tomorrow.

With the enormous amount of money we spent and will spend for the fiscal year 1942 for reclamation, guess how many acres of land have been brought into production as a result of that program? You will find on page 402 that 72,207 acres have been brought into production at a cost of \$99,667,000. How much does that cost an acre? Think of it.

Then you will find on other pages of these hearings where they tried to justify the continuance of these wide investigations on reclamation construction projects on the ground of taking up the slack of a billion and a half dollars of imports that come into this country from South America.

These are but a few of the kisses in the dark missed by the subcommittee. As we read the bill I will cover some of the other items.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, during the several minutes that I was out of the House Chamber I am advised that the gentleman from Kansas [Mr. WINTER] raised the question of loyalty to the American form of government with reference to one employee connected with the Power Division of the Department of the Interior. I am advised that he at first referred to him as the head of the Power Division, but later, I believe, corrected that part of his statement. I merely want Members to know that I never heard of the gentleman in question. I did not know there was such a person connected with the Power Division as the gentleman he mentioned.

The committee heard the head of the Power Division, Mr. Fordyce, who appeared before the committee and made a very fine statement. If the person mentioned by the gentleman from Kansas is actually connected with the Power Division, and I assume, of course, that he is correct, and if he is in any kind of responsible position and has written a book in which he has stated some things that are not in keeping with the ideas and ideals that Americans hold dear, then I would be the last person on earth to try to defend such a person. I have no love and very little patience with any American who would bite the hand that feeds him; who would accept a salary from our Government and at the same time advocate the overthrow of his Government. It occurs to me, however, that if the gentleman from Kansas had such information when the committee was in session, and I believe the statement was made that he had it for 3 months, it would have been the fair and reasonable thing to have apprised the committee of this information and at the same time given the accused an opportunity of being heard. That is the American way.

There are several thousand people working in the Department of the Interior. The committee, I know, will be glad to learn that the F. B. I. was invited to go through the Department of the Interior and make the same kind of an investigation it has made or will make in all of the other departments of government. I am not telling any secret when I say they have not yet completed that investigation, but they have completed it sufficiently that one employee of that Department has already resigned. I feel that Members have absolute confidence in the F. B. I. It will do a good job.

It has no friends to reward or enemies to punish. It will be fair and thorough. I think I can say to the House that when the F. B. I. report is made that the Department will act accordingly and without delay.

Mr. COFFEE of Washington. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Washington.

Mr. COFFEE of Washington. Might it not be fair to the gentleman under discussion to accord him even a chance to explain his side of the case without trying and convicting him in the House of Representatives?

Mr. JOHNSON of Oklahoma. I cannot believe that the House wants any ex parte or star-chamber proceedings here. The gentleman who has been mentioned so many times, it seems to me, should have been accorded the opportunity of appearing before the committee and presenting his side of the question.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield the gentleman 2 additional minutes and ask him if he will yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman.

Mr. RICH. May I say that I never heard of this gentleman, I feel sure that the chairman of our subcommittee has not heard of him, and I do not believe that any member of our committee knows anything about him; but if the statements made by the gentleman from Kansas on the floor a few minutes ago are true, then the chairman of the subcommittee should call the committee together tomorrow morning at some convenient hour, we should invite that man to appear before our subcommittee, read the statement that was given here this afternoon, and find out whether he subscribes to those things or whether he has written them. If he did, we should then write something into this bill that would bar him from receiving any salary from the Department. I feel confident that the chairman of our subcommittee will do some such thing as that, give the man an opportunity, and then let us see whether we can correct such a situation as this.

Mr. JOHNSON of Oklahoma. May I say to the gentleman that a far more practical method, and I am certain a more sure one, was adopted by the committee. May I call attention of the gentleman to the language of this bill. I refer the gentleman to page 140, line 13.

This is not a provision that refers to one person only; it speaks for itself:

Provided further, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment, the salary or wages for which are paid from any appropriation contained in this act, shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than 1 year, or both.

Mr. RICH. If he wanted to sign an affidavit that he did not subscribe to those things he has written, then he would evidently have changed his mind and he could get away with it, but I think we ought to know something about this, and I hope the chairman now, since we have started on this matter, will call the gentleman before our committee tomorrow morning and let us get the facts.

Mr. JOHNSON of Oklahoma. I may again assure the gentleman that the F. B. I. is taking care of the situation in that department, as it is in every other department of Government. When the F. B. I. finishes its investigation it is safe to say that the gentleman in question, as well as all employees, as well as the Congress, and the country will get a square deal—no more, no less.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Ohio.

Mr. JONES. I wonder if the gentleman would consider calling on the Attorney General's office to make a report to us so that we may learn about their investigation in that Department.

Mr. JOHNSON of Oklahoma. I would say to the gentleman that I have already asked the Department for a report and feel certain that the report will be forthcoming to the committee just as soon as this investigation has been finished. I think that is the fair, practical, reasonable, and businesslike way to do the job.

Mr. JONES. In order to satisfy this particular incident, would it be possible to get a partial report on those concerning whom they have already completed their investigation?

Mr. JOHNSON of Oklahoma. I do not know about that, but I think the committee would like to see the entire job done. I assure the gentleman it is being done, and I am very hopeful it will also be done not only in that department but in every other department and agency of the Government within the next few weeks or months. As far as I am concerned, the F. B. I. cannot investigate them too quickly to suit me.

Let us bear in mind that we are considering an appropriation bill, and that this committee is not an investigating committee. If the House wants to appoint an investigating committee now or any other time to go into that department or any other department, that is one thing. But to stop now in the consideration of the pending Interior bill to make an investigation, and especially one without giving the accused this constitutional privilege of being heard, is too absurd to be given serious consideration.

Mr. RICH. Suppose we report him to the Dies committee and let them take him for a ride.

Mr. JOHNSON of Oklahoma. Well, the gentleman from Pennsylvania might appoint himself as a committee of one to do so.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield the gentleman from Kansas [Mr. REES] such time as he may desire.

Mr. REES of Kansas. Mr. Chairman, I believe we are at what may be termed as "the fork of the road" in the prosecution of our war effort.

This Government, this Congress, and groups of people in all walks of life including industry, labor, farmers, business and all of them must determine whether we can carry on as we are now doing, in view of the critical situation with which our country is confronted.

Mr. Chairman, the United States of America is in the most crucial period of its history. The American way of life is being challenged. Our democracy is threatened. We are in the most bloody, the most ruthless war the world has ever known and, it has only just begun.

More than 2,000,000 of the flower of our manhood have been called into service of their country. Millions more will be called. Thousands have been sent to the four corners of the world, and thousands more are on their way. Many of them will not return. Billions are being spent for munitions and war equipment of all kinds and we don't have half enough. This and more is required to protect our country from a ruthless enemy that seeks to destroy our very civilization.

Mr. Chairman, in the light of the critical situation we find ourselves today, it seems to me we must be more realistic, more frank about it. We have got to face the facts as they are, here and now.

Mr. Chairman, the risk is far too great for the people of this country to expect to bring this war to a successful conclusion and at the same time hope to maintain all of the so-called social and economic gains.

Mr. Chairman, I believe those charged with the prosecution of this war as well as industry, labor, farmers, and everybody must come to a common realization and understanding that to save this country from disaster and to keep faith with the men who are on the battlefield, and on the high seas, and in the air, they must lay aside demands for personal gains and not spar for special advantage. We must realize the only way to save this country is through common sacrifice on the part of everybody everywhere.

Until we have a realization that all Americans, and I use the words in broadest significance, are willing to demand and accept less rather than more, and do it in good faith, we stand a chance of losing this war.

Nowhere in the world can you find more loyal and patriotic people than among the rank and file of American workmen and American farmers. They have a big responsibility. They are willing. All they really want is fair play and a chance to do the job. Industry is becoming better prepared every day.

War production must be increased to the very limit. Industry must not demand or have excessive profits. Labor everywhere will need to work longer hours. Farmers must produce more food. People, generally, whether in Government, in the shop, on the farm, or in the office, must realize demands for personal gains and profits must be submerged and secondary in this crucial hour. Our country's destiny will be determined by our actions in the immediate future.

Mr. Chairman, Congress can appropriate billions, which is only a start. People buy bonds—that is absolutely necessary, but the thing that really counts is transforming these dollars into the sinews of war.

Our attention has recently been called to glaring cases of individuals who seek to extort such profits. A contractor with an investment of \$35,000 is said to have made a profit of \$200,000 on a war contract last year. Profits as high as 75 to 100 percent have been reported. There is the case of an individual who formerly held high position in the Government, and who is engaged as an "agent" to procure war contracts for certain firms. He demanded a fee of \$700,000 for securing a big contract for a New York firm. Of course, these are exceptions, but the grabbing of huge profits must be curtailed.

Mr. Chairman, the taking of excessive profits by a Cleveland firm that was broke a year ago, as shown by a naval committee report, is not only inexcusable but absolutely scandalous. The president of the firm admitted that from profits on Government contracts he drew a salary last year of \$145,000. His secretary drew \$39,300 and \$949,000 was divided among other officers.

Mr. Chairman, such a thing is disgraceful. It should be stopped. The money, all of it, should be refunded and those who took it should be penalized.

Mr. Chairman, extravagance and waste must be stopped. To permit waste of the people's money cannot be excused. Waste is bound to lead to corruption.

Mr. Chairman, the Government in Washington, and all who have a part in it, should set the example for efficiency and economy.

We need to streamline bureaus and agencies according to the absolute needs of the hour. There are about 165 of these agencies. Many are valuable, but not necessary now. Activities of others can be reduced and expenses cut.

Do you know our Government spent more than \$150,000,000 last year just for traveling expenses of its executive employees in the departments. Some of it is needed, but not all of it—not now.

Mr. Chairman, I do not know how much need there is for the new temporary building on Pennsylvania Avenue being built at a cost of \$600,000 and known as Mellett's Madhouse. I am advised it will be a bureau of information and will house hundreds of additional employees who will give advice relating to war production for those seeking contracts. Why not use some of the many information bureaus that are already set up and not needed in the present emergency.

Mr. Chairman, the recent resignation of Mr. Guthrie, one of the officials in the War Production Board, calls attention to the possibility of officials who may have taken advantage of their positions for financial gain. I do not think that such a thing is the practice. I believe nearly all of them are of the highest motives, but such practice should not be tolerated for a minute. Such facts should be made known. Whether they are dollar-a-year men or whether they received \$10,000 or \$15,000, they should be discharged.

Mr. Chairman, I realize that because it is for the best interest of our country much information cannot be disclosed. Those charged with the prosecution of the war should be just as frank and fair as possible in providing information to the American people concerning our war effort, without disclosing facts that may be helpful to the enemy. The American people "can take it," good or bad.

Mr. Chairman, the question of politics has been mentioned a good many times recently. Mr. Speaker, the situation is far too serious and too critical for favoritism or political maneuvering outside or within the administration. Those charged with the grave task of guiding our ship of state in this terrific storm should call into the Government, regardless of politics, the very best and most capable men in our country, and give them responsibilities in the production line, or wherever they may be used, just as you would do if they were to go on the battle line.

Mr. Chairman, the Americans are deeply concerned, and rightly so. They are willing and glad to contribute their share, and more, but they want to be assured that all efforts are being used for war purposes and not for nonessentials or boondoggling purposes. They demand everything be done to provide implements and materials of war before it is too long—and too late.

Mr. Chairman, we must reexamine our situation—not as of a year ago, or last month or last week, but today. We are living in a blundering, bleeding world. Democracy is on trial. Our very civilization is threatened.

Mr. Chairman, all groups and all classes will have to work together with a realization that it is for a common cause—to save our country from disaster.

The obligation to our boys in Australia, in Burma, in the foxholes of Bataan, and on the high seas and in the air is a tremendous one. Anything less than the best we have got is not enough.

Mr. Chairman, the task is gigantic. It can be accomplished. It can be done when the American people, working together, accept the challenge of these boys by giving them everything we have got. Nothing less will suffice.

Mr. Chairman, the task is tremendous. America will emerge victorious, but it will take work, and sweat, and blood, and tears before it can be accomplished. Let us hope and pray it may not be too long.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Chairman, I have noticed that certain forces are engaged

in an apparent attempt to discredit one of the most valuable agencies of the United States Government, the National Youth Administration. Their latest attempt is to show that this agency has in its possession a great quantity of machines and tools that could more profitably be used by war production industries.

Having been from the beginning an ardent supporter and admirer of the work of the National Youth Administration, I have made it my personal business to inquire into the merit of the attacks being made upon this organization, and I find the following are the facts: This agency does have a great quantity of machines and equipment, which it is using for the training of workers for war production industries as well as workers for the shore yards of the Navy and the arsenals of the Army. My inquiry also brings out that the N. Y. A., on the whole, began assembling these machines some 2 years ago—long before some other groups saw the necessity of doing the same. Rather than meriting the condemnation carried in these newspaper articles and in some of the comments of the Members of Congress, it seems to me that this agency deserves the sincere commendation of everyone who is sincerely interested in the winning of the war. There can be no doubt that any agency which has put together the vast number of work and training facilities which the N. Y. A. has done has achieved a herculean task.

My investigation discloses that most of the machines which the National Youth Administration has been able to rebuild and secure are excellent for training purposes but are not of the most modern type nor of the heavy caliber or amperage required by the industries having war contracts.

I am informed that defense training facilities of the National Youth Administration now in operation include the following mechanical shop units and work stations:

Type of production activity	Number of—	
	Shop units	Work stations
Total.....	1,670	38,817
Machine and metal working (total):.....	1,134	25,097
Machine shop.....	365	9,571
Sheet metal.....	328	7,048
Welding.....	207	6,117
Foundry.....	33	490
Forge and blacksmith.....	101	971
Radio.....	97	1,956
Electrical.....	44	612
Automotive maintenance and repair.....	163	2,900
Aviation services.....	27	1,103
Patternmaking.....	43	490
Other woodworking.....	97	2,800
Industrial sewing.....	65	3,859

Another aspect of this agency's work has been the wisdom and foresight that was shown in the location of these shops and training centers. I understand that they are located in every State in the Union and exist in the greatest number in those places where there are labor surpluses and the fewest opportunities for employment or training for war production industries. After completion of training, facilities were established by

this agency whereby these young people, from those sections of the country having labor surpluses and no war contracts, could be transported to sections having war contracts and a labor shortage, thereby making available a very valuable source of workers at critical points in the war production structure.

I do not wish to be understood as being opposed to giving every possible assistance to those industries producing needed war material. I feel that if any of the N. Y. A. equipment can be shown to have a more valuable use in any war production industry than it is now achieving in the N. Y. A. training program, then such industries should have priority in its use. In saying this, I am merely supporting the position that has been adopted by the National Youth Administrator from the beginning of the defense, and now, war program. This is clearly attested to by the statement of Mr. Sidney Hillman, head of the Labor Supply Section of the W. P. B., whose statement I quote as follows:

Several months ago National Youth Administrator Williams, in conferences with Labor Division officials, agreed to turn over any useful machine tools for defense production purposes, if the proper authorities decided such action was to the best interests of the production program.

Most of the tools held by the National Youth Administration are old, reconditioned, and largely unsuitable for war production.

On November 8, the Labor Division instructed all training agencies, including the National Youth Administration, to utilize machine tools available for training on a 24-hour basis. These instructions were deemed necessary because of the anticipated shortage in machine-tool operators. This shortage has since developed.

The attack upon this agency would have little or no public interest if it were not aimed at an activity which, on the record of its performance, is of vital importance in the war effort. We are all aware of the repeated statements that only part of our industrial plant is now in full operation due to the fact that properly trained and qualified workers, as well as a shortage of basic materials, makes the full employment of this machinery impossible. Therefore, the training of workers becomes one of the critical and vital elements of the production of the goods necessary for an offensive war. That the National Youth Administration has been making a significant and valuable contribution to our war effort is attested by every responsible official in the Federal Government. This could hardly be otherwise for last year approximately half of all those in the age group which N. Y. A. serves, who secured employment in private industry received their preemployment training in its work centers. In 1941 alone, 419,000 young people went from N. Y. A. projects into private industry, 210,000 of these are known to have gone into war industries. In addition, there were another 300,000 who quit projects before completion of training, for whom no records are available as to where they went to work. In one month alone, January 1942, 35,000 young people went from the training projects of the National Youth Administration into war-production industries.

From all the facts in this situation, I feel that we owe this agency a vote of commendation that it foresaw a great need, and, with incredible efficiency and drive, has moved heaven and earth to do its part in meeting that need. We now see that we need every agency that we have—the schools, the training-within-industry—Labor Division, War Production Board—and the facilities of the N. Y. A. to help in speeding up a supply of experienced and trained workers for the war-production industries. It would obviously cripple and retard the war effort, at this time, to do anything that would weaken, curtail, or limit the work of the National Youth Administration. The simple truth is that instead of crippling and weakening and limiting this agency, we need to facilitate its fullest possible operation.

The economy of its effort is obvious to everyone who will take the trouble to inquire into its cost of operation. In one State alone, there were approximately 12,000 persons in preemployment training for war-production industries, 9,000 of these are in the shops of the N. Y. A. The other 3,000 are receiving training in the schools and in industry and are receiving an hourly rate which approximates the beginner's rate of pay in industry, whereas the youth on N. Y. A. are receiving only 15½ cents per hour. The cost of training the 3,000 is between 250 and 350 percent more than the cost of training the N. Y. A. youth.

In addition, the N. Y. A. youth are producing needed parts for the shore yards of the Navy and the arsenals, 1 shop alone having produced 28,000 parts for the Navy shore yards in a period of 3 months.

I have elected to make this statement solely because of my interest in helping to win this war and in the interest of truth.

Mr. RICH. Mr. Chairman, I yield the gentleman from Michigan [Mr. HOFFMAN] such time as he may desire.

NO MONOPOLY OF PATRIOTISM

Mr. HOFFMAN. Mr. Chairman, yesterday the Member from New Jersey [Mrs. NORTON], speaking in opposition to the attempt which is being made to do away with pay and a half and double pay, demanded by some of those who are working in defense industries and to end the un-American practice of permitting certain labor politicians and racketeers to force the patriotic American worker to stand and deliver before going upon a defense job, said (RECORD, 2834):

Their tactics serve to arouse discontent among Americans and to breed disunity, and thus to play the game that Hitler wants played and that cashes in the chips for him and his gangsters.

That statement by the Member from New Jersey [Mrs. NORTON] not only tends to breed disunity, but it does breed disunity. She charges those who insist that, in wartime at least, the un-American policy of compelling an American citizen to stand and deliver before he can work in defense of his country, with playing the game of Hitler.

That charge is false and the Member from New Jersey should know it is false. Even a woman's prerogative of scolding

and verbally spanking those who are near and dear to her is no excuse for such a statement. That sort of a statement assumes that the one who uttered it has a monopoly of patriotism, of good, hard common sense, and is never mistaken.

The Member from New Jersey may defend, if she wishes—for that is her right—those gangsters who charged \$57.50 to loyal Americans who wanted to work in the construction of the cantonments. She may defend, if she wishes—for that is her prerogative—those who have compelled members of their craft to stand and deliver as much as \$1,000 for membership in a union before they would be permitted to work.

She may defend, if she will, those who demand double pay for every hour worked on a Sunday or a holiday in defense of their country. She may follow whatever course she wishes, and the right of free speech, as practiced here in America, permits her on the floor of the House to slander and to vilify other people, presumably just as patriotic, just as intelligent, as is she. That same rule and the falsity of her charge permits the insertion of a statement of the facts on the same subject.

Those who insist that this Government act to protect those who desire to work without being compelled to join a union; those who insist that in time of war the Nation should not be compelled to pay a price and a half and a double price for all munitions of war manufactured on overtime or on holidays or Sunday, are just as patriotic, and some think more patriotic, than those who follow the opposite course.

The Member from New Jersey [Mrs. Norton] had quite a little to say yesterday about the percentage of employees who were working in various industries. She said nothing at all as to the amount of money which was paid for overtime or for work on Sundays and holidays. She made no statement whatever as to the added cost of our war efforts caused by the payment of a wage and a half and a double wage. She was silent as the grave on the question of the amount of money, the millions of dollars, which American workers have been forced by union officials to pay before they could take part in the defense of their own country.

She failed to call the attention of the House to the fact that the demand for the closed shop, for double pay on Sundays, is so unpatriotic that the rank and file in at least one union has repudiated those demands. In a controversy which involved 8,500 employees of the Pittsburgh Plate Glass Co and the Libby-Owens-Ford Co., which was pending before the War Labor Board, the Federation of Glass, Ceramic and Silica Workers of America withdrew its demand for time-and-a-half pay for Sunday work and for a union shop and for the check-off.

Action by another union, the Automotive Workers Industrial Union, which is not affiliated with either the A. F. L. or the C. I. O., whose members include employees of the Diamond T Motor Car Co., proves what every informed person

knew—that the rank and file was not behind many of the demands of the leaders. This union, according to the press, writing the President, said that failure of the national administrative agency to adopt a uniform labor policy has seriously affected the efficiency of the war production program. That union further wrote the President:

We also believe that dues-picketing, union raiding, labor pirating, the cessation of work over the question of a closed shop and other forms of sit-down strikes or slow-downs should be abolished during the war period.

The union further urged a 48-hour week, but did ask for pay and a half for work in excess of the 48 hours. The company and the employees manufacture trucks for the Army.

The common sense, patriotic action of those unions should bring home to the labor politicians and to those who speak for them the fact that the rank and file of American labor is willing to assume its share of the war burden and that it is time for those who seek political or financial advancement through special demands by insisting that special privileges be granted to a group are not supported by public opinion.

The statement of the Member from New Jersey in substance and to the effect that those who are advocating a national labor policy are playing into the hands of Hitler is equal only in its lack of foundation, in its tendency to promote controversy and disunity, by the statement made last week in New York by the recently appointed Administrator of the Wage and Hour Division, L. Metcalfe Walling, when he said:

The Nazi propaganda machine is behind this whole movement to do away with wage-and-hour standards, although I cannot cite chapter and verse, and the newspapers have been taken in.

It is fortunate for Mr. Walling that he does not go about the country repeating that statement, for he could be confronted by hundreds of thousands of loyal, patriotic, two-fisted Americans, who know that his statement is absolutely false.

It would be well for him to take a trip of a few days throughout the country and ascertain the will of the people. Let him talk with a few mothers, fathers, brothers of those who have gone to war, and let him in person tell them that they are the tools of Hitler. He will have on his hands a little private war of his own. His appointment has apparently swelled his head or stopped his thinking machinery.

Nothing is gained by ignoring the facts. Statements that there are no strikes only tend to create a lack of confidence in those making them, for the people know better. Whatever signs of repentance, promises of good conduct there may be from certain labor leaders, the strikes still continue, as note the following from the United States News dated March 27, 1942:

STRIKES

Thirty-one strikes, slow-downs, and other disputes which held up industrial production were reported in Washington last week. More than 9,394 employees were involved.

The number of strikes represents an all-time peak since this country became involved in war, December 7.

The totals:

Eighteen American Federation of Labor strikes, involving more than 5,268 employees
Eleven Congress of Industrial Organizations strikes, involving more than 4,050 employees.

One independent union strike, involving 50 employees.

One strike of 26 employees, involving no union.

In the list below the figures are the approximate number of employees involved in each strike.

INVOLVING AMERICAN FEDERATION OF LABOR UNIONS

Building trades: Aluminum Co. of America, Mobile, Ala., 850; defense housing project, Wentzville, Mo.; Ford bomber plant, Willow Run, Mich.; J. L. Williams & Sons, Sheridan, Ark., 275; Kurz-Root Co., Appleton, Wis.; Pendleton Lahdy shipyard, New Orleans, La., 75.

Electrical workers: Fisher-Memphis Aircraft Division, Memphis, Tenn.

Garment workers: Cosmopolitan Manufacturing Co., Cambridge, Mass., 200; Leon Bros., Los Angeles, Calif., 80; Schwarzbach-Heber Co., New York, N. Y., 1,500.

Metal trades: Fisher Tank Arsenal, Grand Blanche, Mich., 8; Marion Malleable Iron Works, Marion, Ind., 680; Todd-California Shipyard, San Francisco, Calif., 1,000; Walker Electrical Co., Atlanta, 100.

Potters: U. S. Stoneware Co., Tallmadge, Ohio.

Pulp & Papermill Workers: Sealright Corporation, Fulton, N. Y., 200.

Miscellaneous: Armstrong Cork Co., Braintree, Mass., 300; Consolidated Molded Products Co., Scranton, Pa.

INVOLVING CONGRESS OF INDUSTRIAL ORGANIZATIONS' UNIONS

Auto workers: Hydraulic Devices, Inc., Detroit, Mich.*; National Stamping Co., Detroit, 730*; Thorrez-Maes Manufacturing Co., Jackson, Mich., 600*; Universal Products Co., Dearborn, Mich., 600.

Clothing workers: Crescent City Laundries, Inc., New Orleans, La., 1,400.

Mill & Smelter Workers: Aluminum Co. of America, Cleveland.*

Rubber Workers: Seiberling Rubber Co., Akron, Ohio.

Steel workers: Atlas Press, Kalamazoo, Mich.*; Matthews Manufacturing Co., Worcester, 350; P. Wall Manufacturing Co., Pittsburgh, Pa., 220; Republic Steel Corporation, Niles, Ohio, 150.

INVOLVING INDEPENDENT UNIONS

Morrison Products Corporation, Cleveland, Ohio, 50—Mechanics Educational Society of America.

INVOLVING NO UNION

Ansin Shoe Co., Athol, Mass., 26.

Mr. RICH. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. BENDER].

INTELLIGENT CENSORSHIP VERSUS CENSORSHIP

Mr. BENDER. Mr. Chairman, the people of America want to believe most of the things they read. They want to know that the dispatches they read, date-lined "Washington, D. C.," tell the truth, the whole truth, and nothing but the truth. We know that information from Tokyo, from Berlin, from Rome, is often deliberately designed to conceal and distort the truth. It is our pride that our Government does not need to hide

*Indicate the slow-downs

bad news from the American public. When we read an official denial by Nazi Germany, we instinctively believe that the story is true. It must be the job of American censorship to see that this does not happen here.

The people of America want to win this war in the quickest possible time. We want to do everything necessary, and everything possible to achieve this result. Our Nation understands the importance and the significance of producing military equipment and getting it into action at the earliest moment. We have scarcely begun to grasp the importance and the significance of words in this tremendous conflict.

Americans are inclined to get tired of mere talk. We believe in action. Deliver the goods and stop talking so much about it, is what we want. So far as we are concerned, the ideological conversations which have ripped Europe and Asia apart are not vital to our being. We believe in our democracy and the struggles of the "isms." Fascism, nazi-ism, and communism in other lands are of real concern to only small parts of our population.

All this has led to an almost instinctive dislike of such new elements of modern warfare as propaganda and censorship. We know that in many nations every line of information is blue-penciled. We know that every word sent from other countries has been dictated by a controlled agency.

But we do not know ourselves the importance of these weapons. We do not recognize that a goodly part of this war is a battle of words. Words are fighting battles in China, in India, throughout the continents of Europe and Asia. Battles may not be won with them alone, but many a battle has been lost because of their influence.

Our Government has embarked upon a program of censorship. For some 2 months now, Byron Price, a newspaperman, has been carrying on bravely as chief of our censorship. But despite his efforts, the American people continue to be mystified. When censorship was first begun by Mr. Price, it seemed perfectly acceptable. The basic rules for our newspapers were clean and simple. Naturally, we were not to print anything which might furnish aid and comfort to the enemy. Troop movements, shipping news, technical details of new weapons, maps describing the location of ammunition dumps—all of these things were so obviously matters of military consequence that no one raised a word of objection.

What has happened has been almost incomprehensible. When our soldiers arrived in North Ireland, that news was proclaimed to the world. It was good news, news for which many of us had been waiting expectantly. But it required something like painful surgery to dig out the information that our boys came from the Middle West. For some reason the Army seemed to believe that this was a military secret. Just how it would help the Nazis, Japs, or Italians to know that our North Ireland boys came from Ohio, or Indiana, or Illinois is not very clear.

But this is only a sample of the kind of censorship which is driving American newspaper correspondents into premature senility. Our Army Procurement Division recently turned thumbs down on a request for permission to print information dealing with new aircraft factories. Within a few hours from the refusal, a Washington official gave out the entire story personally. Information dealing with the details of war production was rigidly withheld from the representatives of the press in Washington for weeks. A military service journal proceeded to publish the whole story in specific terms without batting a type stick.

Mr. Price has told us that the censorship program is being enforced entirely through the voluntary cooperation of our publishers, but the Army has threatened to use the 1917 Espionage Act to enforce its views on what may and what may not be printed.

Perhaps the censorship problem is only one more manifestation of the confusion which prevails throughout our high command in Washington. The recent statement of Secretary of the Navy Knox to the effect that Los Angeles had been frightened half out of its wits by nonexistent planes followed almost immediately by Secretary of War Stimson's insistence that unidentified commercial aircraft had flown on a reconnaissance flight over California which was followed in turn by denials that such a flight was even remotely possible, bear out the point. Then, too, the amazing story of a convoy en route to Australia which blasted its way onto our front pages scarcely reflects an intelligent use of our censorship.

Almost incredible as it may seem, the British censorship, after 2½ years of vicious warfare, is recognized everywhere as far less inclusive than our own. The British press has printed news of American aviation developments which were withheld from our own people.

But for a classic example of confusion worse confounded, the last 3 weeks have been unprecedented. The Secretary of War blandly informed us that material reinforcements had been dispatched to the defense of Java while the fighting was still at its height on that strategic island. A few days later the Japanese declared that some 5,000 British and Americans had been captured when Batavia's defenses failed. To this charge our newspapers printed the indirect rebuttal that only 600 Americans had been in Java and all of these were attached to our air force.

On Saturday morning, March 7, 1942, the London Daily Mail printed a dispatch dealing with American convoys to Australia and unparalleled battles in the Pacific under the byline of its correspondent, Walter Farr. According to the story, it was dispatched "aboard an American warship at sea." From London and Melbourne, Australia, this story was cabled to American newspapers.

Secretary of the Navy Knox immediately denied that the dispatch had been filed from an American warship. On Sunday the Navy Department declared that Farr had filed his report from Hon-

olulu and then went on to say that the story had "no factual information about movements to Australia which had not been published by the American press prior to the London Mail publication." Where had this story appeared before?

These curious word battles have lent heat rather than light to the censorship picture. The Secretary of War believed that the route of the Alaskan Highway is a military secret. The Canadian Government at Ottawa promptly published the entire business. Our American censors banned all references to the building of a new American naval base in Eritrea, Africa. The British Government announced it and British censors O. K'd its publication. President Roosevelt immediately denounced the release of the information.

All this confusion is a serious threat to every American publication which regards itself as a responsible organ of information. Too much news which offers neither aid nor comfort to the enemy is being blacked out for utterly incomprehensible reasons. Nothing is gained by these tactics, but much that we regard as valuable and meaningful in our lives is challenged needlessly.

We must have censorship in wartime. Let that censorship be consistent. Let it be intelligent.

Mr. SHEPPARD. Mr. Chairman, I yield such time as he may desire to the gentleman from Utah [Mr. GRANGER].

CHAMBER HITS AT STRIKES IN WAR PLANTS—ASKS MEMBERS TO DEMAND FEDERAL ACTION

Mr. GRANGER. Mr. Chairman, an article appearing in the Salt Lake Tribune with the heading "Chamber hits strikes in war plants." This will be my reply to the Salt Lake Chamber of Commerce to its executive secretary, Gus P. Backman:

I note by a news item in the Salt Lake Tribune that you had sent notices to all members of your organization to "demand legislation prohibiting strikes, dispensing with the closed shop, and cleaning up the labor rackets."

Well, the boys on Main Street have responded moderately, but have disregarded the strike and cleansing process; but all want to repeal the 40-hour week, and time and a half for overtime. I suppose they overlooked strikes at this time because strikes in war industry are almost nonexistent, according to the War Production Board.

This sort of propaganda is of the supposedly now defunct and discredited America First Committee type, and I recognize some familiar names of individuals who were fighting the defense program and the protection of the United States prior to Pearl Harbor, now posing as superpatriots, many of whom would risk the losing of the war if they could but discredit the President and destroy labor—whether or not it is loyal, patriotic labor.

Some of your members suggest that perhaps I might serve in the armed forces at \$21 a month. As a matter of fact, I did exactly that in the last war, for which I am proud as all you must be who had that experience, therefore I neither yield to you nor any organization in the matter

of patriotism. I am greatly disturbed when I think of what these fine soldiers will have to meet, but I am sure that their patriotism and service will be no less whether they get \$21 per month or \$221 per month. This is the real test of love of country, this is their moment of history—the connecting link of a hopeful future with a glorious past.

It is my opinion your organization is using the patriotism of young men, and the anguish of the mothers of these men, to gain a long cherished selfish end, namely, discredit the administration and humble the laborers, at a time when the War Production Board, with the Army and Navy, is working with success to smooth out problems with management and labor in a democratic way, and to correct some of the things that have long needed correcting. Now the labor haters are fearful this plan will succeed, hence their unjust and un-American activities at this critical time.

During the debate on our foreign policy prior to the Pearl Harbor affair, I was never quite sure of the right thing to do. But when I considered the insight and unlimited information of those in high and responsible positions, I felt they were in a better position to know the best course to take, and I therefore thought it wise to follow their leadership. I did this over the screaming protests of propaganda similar to this put out by your organization now. In view of the fact that the leadership was dead right then, and the critics were wrong, there is no reason why I should follow the critics at this time—and I do not intend to do so.

The President of these United States, the Chief of the War Production Board, the War and Navy Departments, and responsible labor organization leaders, agree that tremendous production has been realized and that maximum production can be had without spite legislation directed at either management or labor. Let labor and management not become involved in quarrels at this time, when our very existence as a great free Nation might be impaired.

Mr. SHEPPARD. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. SMITH].

BONNEVILLE—ALUMINUM PRODUCTION

Mr. SMITH of Washington. Mr. Chairman, I have asked for this time in order to urge that the committee's recommendation on Bonneville appropriations be accepted, as to do otherwise will seriously interfere with the very foundation of our supply program.

It may be recalled that I offered the first Bonneville bill in 1937, and have for the last 10 years been a member of the House Rivers and Harbors Committee which has considered all basic Bonneville legislation.

The Washington side of the Bonneville Dam is in my district, and as a result of the availability of this low-priced abundant power, my district is now making perhaps the largest contribution to the base-metal requirements of the air program of any district in the country. I can speak, therefore, with a considerable degree of intimate knowledge on this

subject. Because of this experience, I wish to point out the salient facts as to aluminum production and the part that this production plays in our air program.

Aluminum production

In 1929 the primary production of the virgin aluminum in the United States totaled 222,000,000 pounds. Today two plants in my district are actually producing at the annual rate of around 240,000,000 pounds, or in excess of the total American production in 1929.

In 1939 the primary aluminum production in the United States had risen to 287,000,000 pounds. In 1940 when the National Defense Advisory Committee assumed responsibility for the metals program, their first goal was 400,000,000 pounds per year, which was to be gained by the new plant at Vancouver, Wash., and the expansion of the plants at Alcoa, Tenn., Massena, N. Y., and Baden, N. C.

You will remember the early controversy over the supply of aluminum and the war requirements. Between June 1941 and today we find that the Army and Navy requirements as to aluminum have been gradually but increasingly raised. In January 1941 the requirements were set around 600,000,000 pounds, and in May 1941, when Mr. Batt appeared before the Truman committee he admitted that the requirement level had been raised to one billion and later to one and a half billion pounds per year. We now find that within the last 2 months the aluminum requirement level has been raised to 2,200,000,000 pounds.

The advance in the amount of the metal requirement for airplane production is significant, and brings out the power requirements of the President's expanded program. It takes approximately 1 kilowatt working continuously for a year to produce a thousand pounds of aluminum or magnesium. A heavy bomber requires about 24,000 pounds of light metal per plane, the smallest bomber 16,000 pounds, a pursuit plane 10,000 pounds, and a trainer plane about 6,000 pounds of light metal, such as aluminum and magnesium. The average bomber, therefore, requires about 20,000 pounds of light metal.

The President's annual message to Congress last January set a new goal for our national supreme resources mobilization effort. In this message he ordained that immediate steps were going to be taken to increase the production rate of airplanes from fifty to one hundred and twenty-five thousand per year.

Northwest aluminum production

The Aluminum Co. of America's plant at Vancouver, Wash., located in the third Washington congressional district, is now producing at the rate of 180,000,000 pounds of ingot aluminum per year with the electrical demand of 178,500 kilowatts. This plant was energized on August 31, 1940. The Reynolds metal plant located at Longview, Wash., has an annual capacity of 62,225,000 pounds of aluminum per year. This plant was energized on September 11, 1941. In addition to these two going plants, there is a new plant under construction at Troutdale, Oreg., with a capacity of 96,000,000

pounds per year and using 105,000 kilowatts. This plant is scheduled for completion on May 1 of this year. There is a fourth ingot aluminum plant under construction at Tacoma, Wash., with a capacity of forty-one and a half million pounds per year and an electrical demand of 46,000 kilowatts, which is scheduled for completion on August 1, 1942. The fifth ingot plant is under way at Spokane, Wash., scheduled for completion in May 1942. The Spokane plant will have a capacity of 123,000,000 pounds with an electrical demand of 130,000 kilowatts. Therefore, present northwest ingot aluminum plants will be producing in the middle of this year around 508,000,000 pounds or about one-half of the present production and around one-quarter of the ultimate production. About 520,000 kilowatts of Columbia River power will be at work on aluminum production this year. This production rate is equivalent to 50,000 pursuit planes, 21,000 large bombers, and 32,000 average bombers per year. These rounded figures will give to this House an idea of the contribution being made by Columbia River power to the defense program.

Defense metals

It is becoming obvious that this country must be the principal supply source of the nations combating the Axis Powers, and in this supply, electric power will be a large factor in the production effort. Modern machines needed for warfare are built of high-quality, lightweight, and high-strength material. Such materials can only be produced in the electrical furnace or in the electric cell.

The program

In his message to Congress, the President announced his plan of increasing airplane production from 50 to 125,000 per year, tank production from 45 to 75,000 per year, antiaircraft guns from 20 to 35,000, and merchant ship tonnage from 8,000,000 to 10,000,000 tons; all of these rates to be realized by 1943. With this production rate applied to the major implements of war, it will be necessary that other rates be increased proportionately. Therefore, this involves large increases in the production of metals and raw materials like steel, aluminum, magnesium, copper, tin, zinc, synthetic rubber, and chrome in amounts much larger than previously contemplated. In all of this production electric power is the base of the program.

Defense dollars per kilowatt hour

The basis of the power requirements for the defense program has been estimated by various agencies from 2.25 to 3.5 kilowatt-hours per dollar of defense expenditure. The tentative figure of the War Production Board is now around 2.25 kilowatt-hours per dollar, whereas the Federal Power Commission estimated 2.75 and the Brookings Institution 3.5 kilowatt-hours. This means that one kilowatt working every hour in the year will turn out from \$2,500 to \$4,000 worth of defense metals. The total annual expenditure for war of \$72,000,000,000 represents about \$55,000,000,000 of defense production with an estimated power requirement of about 17,000,000 kilowatts

on the basis of the lowest estimates presented. The higher estimates would be 50 percent in excess of this figure. This electrical requirement in the next 18 months must be met in two ways. First, by new capacity, and secondly, by displacement and curtailment. It is, therefore, apparent that this Nation must bring into service every kilowatt that can be quickly and expeditiously obtained within the next 2 years.

Columbia power source

The four Bonneville units totaling 216,000 kilowatts, which capacity has not been included in any of the production figures I have previously given, will come into service in the early part of 1943. This is the quickest and best power obtainable in America for the defense effort. In addition three Coulee units totaling in excess of 300,000 kilowatts will also come into production in 1943. Therefore, next year two Columbia River plants will be able to make an additional defense contribution in excess of a half million kilowatts. I now predict that all of this capacity and more will be needed in the victory program. The appropriation which is now before you is for the purpose of carrying this power to the point where it will be turned into the implements of victory. This House cannot afford at this time to disturb the figures submitted by the committee.

Plant locations and how the energy will be utilized is beyond the control of the Bonneville Power Administration. For strategic and other reasons, with which some of us do not always agree, these plants are set by the military authorities. When these locations are set it is incumbent upon the Bonneville administrator to transmit and transform the power from the generating source to the point of use. It is impossible to tie this appropriation down to specific items when the rapidly changing military situation may require the shift of large blocks of power on very short notice.

Checks and balances

The actual expenditure of this money will be controlled by two checking agencies. The first of these is the War Production Board, which will control the allocation of the basic materials used in line and substation construction. This agency will not grant priorities for any construction not used in the war program. In addition, the Bureau of the Budget has a control over the release of these funds, and the funds will not be released except for defense activities. Plant locations are more or less on wheels because of the raw material and military situation; therefore, of necessity, flexibility is required in the allocation of funds. Some of us may not agree with the individual items which make up this estimate. Nevertheless, it is apparent that the total sum will be needed in the fiscal year 1943 to take the new power to the point of use. Therefore, I again urge that this body carefully weigh the facts so as to avoid any decision that could impede the flow of this electric current into quick and needed war production.

Mr. RICH. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. GEARHART].

HETCH HETCHY POWER FOR ALUMINUM PRODUCTION

Mr. GEARHART. Mr. Chairman, the appropriation bill before the Committee includes a small sum for the Division of Power in the office of the Secretary of the Interior. It is to support this item that I have asked recognition.

Largely through the work of this Division, a giant, new aluminum plant—which will produce almost 100,000,000 pounds of aluminum annually—will soon be producing this vital war metal in Stanislaus County, Calif., near Modesto. This plant will use power generated at the great Hetch Hetchy development which is owned and operated by the city of San Francisco. The project was made possible by the Raker Act passed by the Congress in 1913. This act required that the power generated at Hetch Hetchy be sold directly to consumers.

Ever since the first kilowatt-hour of energy was generated at Hetch Hetchy, there has been controversy over the method of selling this power. In 1940, the Supreme Court of the United States decided that the city was selling the power in violation of law. The result of the Court's decision was that the powerhouse would have to be closed down on July 1 of this year unless some means could be found of selling the power directly to consumers.

Instead of letting the ax fall and allowing this power to be shut off by operation of law at a time when it is critically needed, the Division of Power in the office of the Secretary of the Interior set to work to find a means of compliance with the Raker Act which would be beneficial to the city of San Francisco and would further the war effort. I know that this was a tremendous job, a job of real difficulty, because I have myself been in consultation since the inception of the program with the Federal officials who had jurisdiction over the matter. The men in the Division of Power were able to work out an arrangement by which Hetch Hetchy power could be supplied to a new aluminum plant to be located near Modesto.

This great achievement will mean a lot to the people of my district; it will mean revenues to the people of San Francisco and a decreased tax burden; and it will mean more fighting planes and bombers to our forces in Australia, the Philippines, and throughout the world. I think that this achievement of the Division of Power, standing alone, would more than justify its small appropriation which has been approved by the committee. I sincerely trust that it will be approved by this body as a vital national defense item.

Mr. SHEPPARD. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. GREEN].

WAR VETERANS ARE DOING THEIR FULL PART IN PRESENT CRISIS AND DESIRE FURTHER SERVICE

Mr. GREEN. Mr. Chairman and my colleagues, I invite the attention of all of you, but particularly the attention of our membership which serves on the House Military Affairs and also the House Naval Affairs Committees. I have received an unprecedented number of letters from World War veterans who

are now desirous of again serving with our armed forces. Many of these World War No. 1 veterans have spoken to me personally concerning their desire to be of helpfulness and service during the present war. Of course, some of them are in the Officers' Reserve Corps and in this manner have been able to go into active duty and a few others have in the regular routine gained admittance to the Army and Navy. I have also had quite a few communications from Spanish-American War veterans who feel they are physically able to resume service with the armed forces. These veterans desire to serve our country in some helpful capacity.

I believe that the Congress should promptly enact a general law which will permit all veterans who are able to meet reasonable requirements to enter the armed forces. Their World War and Spanish-American War training and their civilian occupation and experience since the war have prepared them for most useful services. Thousands of them have been engaged since the last war in the professional world or in administrative and directory capacities or in skilled labor capacities, and in fact, all of them who are physically able to follow gainful employment have been active in some qualifying line of work which renders them now by far of greater usefulness to the armed forces than an inexperienced man. It is true that a relatively small number may be physically able to endure exacting combat duty but with their knowledge, training, and experience, they could very well be offered service with the forces primarily in noncombat capacity. They could train and whip into Army shape the thousands of men now entering the armed forces; they could do clerical duty, administrative duty, police and guard duty, construction supervising duty, transportation, and mobilization supervision, production and supervision duty, and in fact, there are numbers of assignments which could be better performed by them than by any new person in the armed forces, and such assignments would be within the physical ability of a large percentage, particularly of the World War veterans.

Practically all of these veterans have dependent families and many of them are without income except from their own earnings. It would be necessary for reasonable and comparable compensation to be allowed them. In other words, practically every one of these veterans could qualify for capacities which ordinarily require officer's rank and pay. If such capacity should be in noncombat duty, then a scale of pay, perhaps under regular officer's pay, could be arranged for special veterans' officers corps. Recently, I sent the following communication to the President:

WASHINGTON, D. C., March 3, 1942.

MY DEAR MR. PRESIDENT: I strongly urge that further consideration be given to the utilization of World War veterans in the present war program. Many of the war veterans are in good physical condition, and an unusually large percentage of them have sufficient health to enable them to perform some kind of useful service during the war program. They are tried, true and patriotic men and are, indeed, well experienced in

practically all problems now facing our war-program officials.

Those who are not physically capable of actual combat service could be utilized in active duty as camp officials, intelligence officers, in training of draftees and new recruits, and in guard duty. An arrangement of this kind would relieve many younger men in other services and would increase the number of existing trained officers for more active duty.

Practically all of these veterans have families and other responsibilities which would make it, in nearly all cases, imperative for them to have greater pay than that allowed privates. It would be my thought that a special and appropriate officership arrangement might be well worked out which would allow commissions to practically all war veterans whose services are utilized as outlined above. The grade of pay allowed for the respective commissions given veterans could be slightly under the scale of the existing regular Army officers' pay.

A veteran who served as a private in World War No. 1 undoubtedly could now be worth far more to our armed forces at this time than he was during his war service, this because of his World War No. 1 training and experience and his civilian service and utilization since World War No. 1. A reasonable pay scale especially arranged for and provided for such war veterans who now enter the service for special duty and for the duration of the war would enable the minimum maintenance of their homes and at the same time permit them to fulfill their heart's desire for service now with our armed forces.

Of course it is my thought that enlistment for such service should be optional with the veteran. An arrangement, however, as indicated above, would successfully invite the service of thousands of war veterans, and their service would be of inestimable value to our armed forces and our Nation's security.

I receive letters daily from patriotic veterans who feel that they are physically able to perform at least some reasonable assignment in the role of our country's defense. Practically all of them prefer assignment in accordance with their physical ability directly in the armed forces of our country.

I make this suggestion to you as the Commander in Chief of our armed forces, and with the hope that some worth-while plan may evolve which will be not only for the help of our war veterans but also for substantial aid to our armed forces in the defense of our country.

With very kind personal regards, I am
Sincerely yours,

LEX GREEN.

Mr. Chairman, in our appropriate committees will give consideration to constructive and reasonable legislation along this line, a surprising number of worthy and capable veterans will thus be invited to return to the service. In fact, an unduly large percentage are now clamoring for enrollment, even for unpaid duty. I hope favorable consideration can be had.

DISABILITY ALLOWANCE AND INCREASES

At this particular time, when industry has been seriously displaced by war necessity and when the cost of living has increased, it would seem most timely to me for the House to give consideration to general pension legislation for World War veterans. I have during the past several Congresses introduced legislation for this purpose. H. R. 1440, which I introduced for this purpose, is now before the House Committee on World War Veterans' Legislation. Under the provisions of this bill, disability pay would be as fol-

lows: Ten percent, \$12 per month; 25 percent, \$20 per month; 50 percent, \$30 per month; 75 percent, \$40 per month; total disability, \$60 per month. The bill further provides that World War veterans and dependents who are now drawing compensation would have an automatic increase of 10 percent in such payments. There are other provisions in the bill for liberalization of existing laws. I have in my files a large number of veteran cases which I believe in fact are service connected but from one cause or another, the veteran has been unable to prove to the satisfaction of the Veterans' Administration that service connection exists. This bill would take care of all these border-line cases by automatically giving compensation.

WIDOWS' AND ORPHANS' BILL

In this connection, I may mention that we have twice passed in the House and sent to the Senate a bill for compensation benefits for dependents of World War veterans without service connection. Our last bill was H. R. 4, and passed the House on June 16, 1941. This is one of the most meritorious pieces of legislation that I ever voted for, and I hope that the other legislative branch will promptly act in order that these

widows and orphans and dependent parents of deceased veterans may have these justified benefits.

It is true that the Congress has made large appropriations for disabled World War veterans and for their dependents and for their hospitalization. In my State we now have some 4,000 Spanish-American War veterans who draw pension and some 11,500 World War veterans drawing compensation or pension. The total amount paid for all purposes to all veterans, dependents, for hospitalization, and so forth, in Florida for 1941, was a little over \$11,000,000. I include herewith in this connection a statement recently given me by the Veterans' Administration.

VETERANS' ADMINISTRATION,
Washington, February 11, 1942.

HON. LEX GREEN,
House of Representatives,
Washington, D. C.

MY DEAR MR. GREEN: Reference is made to your letter dated February 9, 1942, requesting information relative to the amount disbursed in the State of Florida for the fiscal years 1940 and 1941.

The following table indicates an approximate distribution of expenditures in the State of Florida during the fiscal years 1940 and 1941, and the number of beneficiaries on the roll June 30, 1940 and 1941.

	Number on roll June 30, 1940	Disbursed during fiscal year 1940	Number on roll June 30, 1941	Disbursed during fiscal year 1941
Compensation and pension benefits:				
World War:				
Living veterans.....	6,582	\$3,428,752	7,127	\$3,822,002
Deceased veterans.....	1,794	973,481	1,953	1,034,798
War of 1812.....				
Mexican War (deceased veterans).....	4	2,368	4	2,371
Indian War:				
Living veterans.....	35	30,245	40	28,843
Deceased veterans.....	50	14,411	47	17,082
Civil War:				
Living veterans.....	37	56,128	27	33,554
Deceased veterans.....	603	290,032	534	256,094
Spanish American War:				
Living veterans.....	3,930	3,058,047	3,604	3,207,359
Deceased veterans.....	1,014	367,809	1,086	403,787
Regular Establishment:				
Living veterans.....	659	227,864	663	289,104
Deceased veterans.....	182	54,582	204	62,904
Total compensation and pension benefits:				
Living veterans.....	11,243	6,801,036	11,791	7,380,862
Deceased veterans.....	3,647	1,702,683	3,828	1,777,096
Military and naval insurance.....	378	313,064	325	256,641
Adjusted service and dependent pay.....		12,661		8,318
Administration.....		1,479,267		1,581,544
Construction.....		400,559		91,792
Total disbursements.....		10,709,270		11,096,253

¹ Administration includes expenditures incident to the maintenance and operation of all offices, hospitals, and all forms of medical, hospital, and domiciliary care.

Very truly yours,

FRANK T. HINES,
Administrator.

These expenditures do not take care of the pressing and just requirements. Passage of H. R. 1440 or its substance is not only justified but is just and should be done. I ask your support for this bill.

For all purposes, veterans and dependents, hospitalization, and so forth, in Florida the past 12 years, there has been expended possibly \$84,000,000. We have in Florida two splendid facilities for veterans—one at Lake City and the other at Bay Pines, Fla. In my efforts for these facilities, I have uniformly had the fullest cooperation of Florida veterans. In fact, this cooperation has been had in all things which were for the benefit and

betterment of our great Nation and our democratic form of government. I am grateful for this cooperation and understanding which exists in my State.

VOTED FOR BONUS PAYMENTS

Soon after my vote for payment of the bonus, Frank E. Altman, senior vice commander, Department of Florida, Veterans of Foreign Wars, and also president, Veterans' Voting League, wired me:

Your vote yesterday (for bonus payment) has been recorded in our sacred archives. Call on me or our State-wide organization for anything you may need in future.

Also, J. J. Skillman, national councilman, Veterans of Foreign Wars, wired as follows:

Congratulations on the courage of your conviction to honor the Nation's heroes by

your support in voting for the bonus bill. The veterans of the State of Florida will never forget your courage and gratitude shown to them by you.

The CONGRESSIONAL RECORD of January 10, 1936, roll call No. 3, shows that I voted to pass the bonus bill. I also was the only Florida Congressman who signed the petition on the Speaker's desk to force consideration of this bill. The CONGRESSIONAL RECORD of January 24, 1936, page 987, roll call No. 11, shows that I voted to pass the bonus bill over the veto of the President. This is the bill under which the bonus was paid to the veterans.

Gordon B. Knowles, former commander, the American Legion, Department of Florida, wrote me as follows:

I wish to express to you on behalf of the American Legion, of the Department of Florida, and particularly on behalf of my associates on the committee that recently went to Washington about the Lake City Hospital, our very sincere thanks for your co-operation and kindness in connection with the project and our visit to Washington. You were more than courteous, thoughtful, and hospitable to us and we are all very grateful.

Hon. Frank J. Wideman, former Assistant Attorney General, wrote me as follows:

I congratulate you on your good work in the matter of establishing a branch of the National Home for Disabled Volunteer Soldiers in Florida.

Raymer F. Maguire, former member of Florida Board of Control, wrote me:

I appreciate the Fletcher-Green bill providing for the establishment of National Home for Disabled Soldiers in Florida. I am sure of one thing, and that is that you never miss an opportunity to put in your oar and paddle for the interest of Florida.

Howard Rowton, a most prominent Florida Legionnaire, wrote me:

I want to thank you for the fine support that you have always given the ex-service men of Florida, and we feel that in you we have a real friend.

J. W. Gooding, past department commander, Florida United Spanish War Veterans, wrote me:

I wish to take this opportunity to thank you for the good work you have done for the State of Florida in reference to the branch of the National Soldiers Home for Florida (Southern States) and for your wires to me as department commander. I especially wish to thank you for all your work in behalf of our organization, the United Spanish War Veterans. As retiring department commander for Florida for 1929-30 I personally as well as for the organization express my appreciation.

The great veterans' facility now at Bay Pines, Fla., was established as a result of the bill which I introduced in the House and the late Senator Fletcher, of Florida, in the Senate.

LEGION DISTINGUISHED SERVICE AWARD

One of the greatest honors which it has been my lot to receive was the Legion distinguished service award for 1933, of the American Legion post of my home county.

If there is doubt in the minds of any present as to the patriotism and desire of World War veterans to serve our country in the present armed conflict, I hope you

will listen to the following communication:

UNITED STATES AMERICAN LEGION,
St. Petersburg, Fla., March 6, 1942.

HON. LEX GREEN,
House of Representatives,
Washington, D. C.

DEAR LEX: Your letter of the 20th ultimo, enclosing the copy of the American's Creed, was read to the entire membership in open meeting, and a motion was made and passed that this letter be sent expressing our sincere appreciation.

Many of our members have expressed their desire to again serve our country in this hour of need, but apparently their age prohibits the use of their services. However, we all stand ready and willing to serve in whatever capacity possible.

Personally, I took an examination for re-commission in the service on January 13 and have just been ordered to have my blood pressure rechecked, although I haven't missed a day from the office in many years.

Assuring you it is always a pleasure to be of service and with kindest personal regards, I am

Respectfully,

MARTIN H. TEWES,
Adjutant.

I was deeply impressed by a statement recently carried in the Florida press and made by State Commander Rupert Caviness, of the American Legion, Department of Florida. Mr. Caviness is a highly patriotic, thoughtful, and well-informed gentleman. His views are indeed entitled to the consideration of the Congress. His statement, in part, was as follows:

In my opinion, we are very fortunate in having the brainiest men of the world at the head of our Army and our Navy. Our Army and Navy represent the "cream of manpower" not only of our Nation but of the whole world.

I have all of the confidence in the world in these men, and I know that they are capable of doing a better job than is possible by any other manpower of the world, providing they are furnished with a sufficient amount of the proper equipment.

The United States Army and Navy is composed of the highest quality men that can be found in the world. They are in there because of the enlistment, or because of selective service. We should be doing things to let these men know that we are proud of them. Our task is to build their spirits and try to make them believe that we are with them 100 percent.

The quickest way for us to win this war would be for every true American citizen to be called into some kind of service and thereby carry his or her part.

Suppose we take another idea from Britain and put a ceiling on the amount of money that every United States citizen may earn in a year. Is any civilian worth more pay than the man who is fighting and offering his life to preserve what we have?

The veterans are responding nobly to the call of duty and are doing all within their power for our war effort. They desire to participate further. If arrangements can be made for further participation, the veterans will be not only happy but will respond and our civilization will be benefited.

We are now facing the most critical period in the history of our Republic. Civilization is at the very cross roads. The liberty and freedom of not only the American people but of mankind is at stake. The suppressed and enslaved people of many nations now look with long-

ing hope for rescue by the people of the United States. Their freedom has been blasted. They are now writhing under the iron heel of Hitler and his hordes. Unity and supreme effort of America are the only hope for freedom's victory over Germany, Italy, and imperial Japan. Men of character, experience, and ability are needed to help guide the destiny of our Nation and world freedom. Let us do all possible to utilize the services of these patriotic and qualified veterans.

The Clerk read to line 6, bottom of page 1.

Mr. LEAVY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. McCORMACK having assumed the chair as Speaker pro tempore, Mr. COOPER, chairman of the Committee of the Whole House on the state of the Union reported that that Committee had had under consideration the bill H. R. 6845 and had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. GREEN. Mr. Speaker, I ask unanimous consent to extend the remarks I made this afternoon and include two or three short letters.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a very excellent address by the Commissioner from the Philippine Islands [Mr. ELIZALDE].

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ELIZALDE. Mr. Speaker, I ask unanimous consent to extend my remarks by including a speech by Mrs. Pearl Buck.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks and include an item from the New England News Letter for the month of March.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MODIFICATION OF THE WALSH-HEALEY ACT

Mr. HOBBS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4579) to amend subsection (c) of section 1 of Public, No. 846, Seventy-fourth Congress (S. 3055), an act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. MICHENER. Mr. Speaker, I reserve the right to object. This bill affects the Walsh-Healey Act?

Mr. HOBBS. Yes, sir.

Mr. MICHENER. Will the gentleman explain what the changes are and whether the bill has the support of the gentleman from Massachusetts [Mr. HEALEY] and those who represent organized labor as well as the others who are

vitality interested in this type of legislation in the House.

Mr. HOEBS. Mr. Speaker, I am delighted to answer the gentleman's question. This bill brings the Walsh-Healey Act into line with the Fair Labor Standards Act, and makes the two in accord with respect to annual wages and hours. The distinguished gentleman from Michigan is one of the ranking members of our committee as well as in the leadership of the minority of the House, knows that this bill has the unanimous favorable reports, both of the subcommittee and the full Committee on the Judiciary. It has the cordial support of Mr. HEALEY, who is one of the joint authors of the Walsh-Healey Act. It has the support of L. Metcalfe Walling, who was the administrator of the Walsh-Healey Act and now is the Wage and Hour Administrator.

So far as our committee is advised, no one opposes it, and it has the hearty approval of everyone who has studied the problem it solves.

There are a few employers who have agreed with their employees, bargaining collectively, upon an annual income for working not more than 2,080 hours annually, as permitted by the Fair Labor Standards Act. Such firms cannot participate in the war effort on that basis because of the weekly hour maximum fixed by the Walsh-Healey Act. Hence, this bill amends the latter act to make it conform, in this particular, with the former act.

Due to the laudable, intelligent, and diligent efforts of the author of this bill, the gentleman from Wisconsin [Mr. KEEFE], and the author of an identical bill or a similar bill, the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], all of the elements have been brought into accord and there is no opposition whatever so far as we know.

Mr. MICHENER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. HOEBS]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That subsection (c) of section 1 of an act entitled "Public No. 846," Seventy-fourth Congress (S. 3055), be amended by inserting the following proviso after the end of said subsection (c): "Provided, That the provisions of this subsection shall not apply to any employer who shall have entered into an agreement with his employees pursuant to the provisions of paragraphs 2 and 3 of subsection (b) of section 7 of an act entitled 'Fair Labor Standards Act of 1938.'"

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BOEHNE (at the request of Mr. LUDLOW) for 1 week, on account of official business.

ADJOURNMENT

Mr. LEAVY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p. m.)

the House adjourned until tomorrow, Wednesday, March 25, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a hearing at 10:30 a. m. on Wednesday, March 25, 1942, on H. R. 6529 and private bills.

THE SUBCOMMITTEE ON PETROLEUM OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The Subcommittee on Petroleum of the Committee on Interstate and Foreign Commerce will hold a meeting at 10 a. m. on Friday, March 27, 1942, to hear Mr. Elliot E. Simpson, director of the Drexage Rubber Co. of New York in respect to rubber.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1528. A letter from the Secretary of War transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1941, submitting a report, together with accompanying papers, on a review of reports on the Great Pee Dee, Lynches, Little Pee Dee, and Waccamaw Rivers, S. C., with a view to determining if improvement of Big Bull Creek, with a view to flood control, is advisable, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on October 4, 1940; to the Committee on Flood Control.

1529. A letter from the Secretary of War transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of the Nooksack River, Wash., authorized by the Flood Control Act approved on June 22, 1936; to the Committee on Flood Control.

1530. A letter from the Secretary of War transmitting a letter from the Chief of Engineers, United States Army, dated December 4, 1941, submitting a report, together with accompanying papers, on a review of reports on the White River Basin, Mo. and Ark., with a view to determining the advisability of undertaking flood-control works on the Cache River, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on April 14, 1937; to the Committee on Flood Control.

1531. A letter from the Acting Administrator of the Federal Works Agency transmitting a draft of a proposed bill designed to authorize the Federal Works Administrator to appoint a Deputy Federal Works Administrator and to define his duties; to the Committee on Expenditures in the Executive Departments.

1532. A letter from the Secretary of War transmitting a draft of a proposed bill to authorize officers and enlisted men of the armed forces of the United States to accept decorations, orders, medals, and emblems tendered by governments of cobelligerent nations or other American republics; to the Committee on Military Affairs.

1533. A letter from the Secretary of Commerce transmitting a report of the activities

of the Reconstruction Finance Corporation and its subsidiaries in connection with the defense and war effort; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JOHNSON of Oklahoma: Committee on Appropriations. H. R. 6845. A bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1943, and for other purposes; without amendment (Rept. No. 1935). Referred to the Committee of the Whole House on the state of the Union.

Mr. BULWINKLE: Committee on Interstate and Foreign Commerce. H. R. 6799. A bill to increase the monthly maximum number of flying hours of air pilots, as limited by the Civil Aeronautics Act of 1938, because of the military needs arising out of the present war; with amendment (Rept. No. 1944). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HART: Committee on War Claims. H. R. 1147. A bill for the relief of Dr. Henry Clay Risner; with amendment (Rept. No. 1936). Referred to the Committee of the Whole House.

Mr. HART: Committee on War Claims. H. R. 1280. A bill for the relief of Meta De Rene McLoskey; without amendment (Rept. No. 1937). Referred to the Committee of the Whole House.

Mr. O'BRIEN of New York: Committee on War Claims. H. R. 1336. A bill for the relief of Leah A. Brownell; without amendment (Rept. No. 1938). Referred to the Committee of the Whole House.

Mr. MILLS of Louisiana: Committee on War Claims. H. R. 1578. A bill conferring jurisdiction upon the Court of Claims of the United States to hear, adjudicate, and enter judgment on the claim of Carl G. Allgrunn against the United States for the use of his invention in rifling guns during the war and thereafter by the Symington-Anderson Co. at Rochester, N. Y., said invention being shown and described in his Letters Patent No. 1,311,107, issued by the Patent Office of the United States on or about July 22, 1919, and conferring jurisdiction upon said Court of Claims to reopen and further adjudicate the claim of said Carl G. Allgrunn for the use of his invention by companies or in shops other than the Symington-Anderson Co. in 1918 and 1919, which claim has heretofore been settled on the basis of the judgment of the Court of Claims of February 8, 1937, awarding the said Carl G. Allgrunn the sum of \$56,043.76 with interest thereon, on which judgment the said Carl G. Allgrunn was paid on or about April 11, 1938, the sum of \$119,030.80; without amendment (Rept. No. 1939). Referred to the Committee of the Whole House.

Mr. WORLEY: Committee on War Claims. H. R. 1744. A bill for the relief of Lizzie Berry; without amendment (Rept. No. 1940). Referred to the Committee of the Whole House.

Mr. HART: Committee on War Claims. H. R. 2219. A bill for the relief of Mary G. Person; without amendment (Rept. No. 1941). Referred to the Committee of the Whole House.

Mr. WILLIAM T. PHEIFFER: Committee on War Claims. H. R. 3176. A bill for the relief of Agnes Brodahl; with amendment (Rept. No. 1942). Referred to the Committee of the Whole House.

Mr. O'BRIEN of New York: Committee on War Claims. H. R. 4624. A bill for the relief of John August Johnson; without amendment (Rept. No. 1943). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of Oklahoma:

H. R. 6845. A bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1943, and for other purposes; to the Committee on Appropriations.

By Mr. DIMOND:

H. R. 6846. A bill to amend an act entitled "An act to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes," approved August 24, 1912; to the Committee on the Territories.

By Mr. KOPPLEMANN:

H. R. 6847. A bill to assure to all persons within the District of Columbia full and equal privileges of places of public accommodation, resort, entertainment, and amusement, and for other purposes; to the Committee on the District of Columbia.

By Mr. PLUMLEY:

H. Res. 466. Resolution expressing the sense of the House of Representatives that activities of the Office of Civilian Defense concerned with the promotion of sports and other forms of recreation should be discontinued immediately; to the Committee on Expenditures in the Executive Departments.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. DICKSTEIN introduced a bill (H. R. 6848) granting jurisdiction to the United States Circuit Court of Appeals for the Second Circuit to reopen and readjudicate the case of Robert L. Demuth, which was referred to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2596. Mr. VINCENT of Kentucky: Petition of Hon. George Street Boone, of Elkton, Ky., and numerous citizens and residents of Elkton and Todd County, Ky., petitioning for a ceiling over all prices, including wages, agricultural products, manufactured articles, and rents, to be fixed at a reasonable value, with the request that the price ceiling fixed be firmly enforced, etc.; to the Committee on Banking and Currency.

2597. By Mr. MOTT: Petition signed by Mrs. H. Francis Meeker and 67 citizens of Clackamas County, State of Oregon, requesting the passage of Senate bill 860; to the Committee on Military Affairs.

2598. By Mr. GRAHAM: Petition of 33 members of the Young People's Organization of the Portersville Presbyterian Church, urging the passage of the bill now before Congress to forbid the sale of beer and liquor in areas where there are training camps for our soldiers; to the Committee on Military Affairs.

2599. Also, petition of 34 members of the Portersville Presbyterian Church, urging the passage of the bill now before Congress to forbid the sale of beer and liquor in areas where there are training camps for our soldiers; to the Committee on Military Affairs.

2600. By Mr. KRAMER: Petition of the Los Angeles County Board of Supervisors, Los Angeles, Calif., expressing opposition to the bill H. R. 6750, which is a substitute for both H. R. 6617 and H. R. 6049, contending that the principle of the proposal is not to the best interests of the small communities or local Government agencies; to the Committee on Ways and Means.

2601. Also, petition of the California State Board of Agriculture, urging that the Farm Security Administration be granted sufficient budgetary and other support to enable it to provide mobile camps for seasonal workers and to deal with problems of transporting such workers within and to areas where their services are needed, that the United States Employment Service in California be provided with a sufficient additional staff to enable it to perform properly its important functions in connection with recruiting and supplying necessary seasonal labor; to the Committee on Appropriations.

2602. By Mr. LUTHER A. JOHNSON: Petition passed by the Council of the City of bureau of identification of the police department, Corsicana, Tex., favoring House bill 6256; to the Committee on the Judiciary.

2603. By Mr. SMITH of Wisconsin: Resolution passed by the council of the city of Kenosha, Wis., opposing provisions of House bill 6750, to promote the prosecution of war by exempting from State, Territorial, and local taxes the sale, purchase, storage, use, or consumption of tangible personal property and services for use in performing defense contracts, and for other purposes; to the Committee on Ways and Means.

2604. By Mr. ROLPH: Resolution of the Railroad Commission of the State of California, at San Francisco, Calif., approving the enactment of House bill 6156, or other appropriate measure, for the purpose of amending section 321 of title III, part II, of the Transportation Act of 1940; to the Committee on Interstate and Foreign Commerce.

2605. By Mr. SMITH of Wisconsin: Resolution of the Pure Milk Association of Chicago, Ill., recommending that no priorities be granted for new public buildings unless it be shown that such buildings are absolutely necessary and will directly aid in winning war; to the Committee on Public Buildings and Grounds.

2606. Also, resolution of the Pure Milk Association of Chicago, Ill., urging Congress to pass legislation prohibiting interstate shipment and sale of oleomargarine containing any dairy products, which is yellow in color and which imitates butter in respect to color, taste, and appearance; to the Committee on Agriculture.

2607. Also, resolution of the Pure Milk Association of Chicago, Ill., urging legislation to protect the human and animal life of the United States by establishing a permanent system of sanitary inspection and control over the importation of animals and their products from foreign countries, and to provide for the imposition of mandatory embargoes against such importation where there is danger of spreading disease to this country; to the Committee on Agriculture.

SENATE

WEDNESDAY, MARCH 25, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend Z. Barney T. Phillips, D. D., offered the following prayer:

O God, Thou Father of our spirits, whose greatness separates Thee not

from us but rather brings Thee near and enfolds us in Thy care: Teach us to live, though sometimes it were easier far to pass away, closing our eyes upon earth's twilight and wakening at the dawn; teach us that harder lesson, how to live and serve Thee in life's darkest moments; to live no more for sin and self, wasting life's precious hours in seeking our own pleasures, but employing heart and hand to do Thy bidding cheerfully, with kindly words for all. And let this be our highest, holiest joy, so to fill the common days with harmonies divine, that, when for us all working days are o'er, the heavenly music, glad and soothing, sweet and clear, shall rise in purest harmony through all eternity, stealing away the strain of every aching heart, healing the long-borne pain. In our Saviour's name, we ask it. Amen.

THE JOURNAL

On request of Mr. GREEN, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, March 24, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed a bill (H. R. 4579) to amend subsection (c) of section 1 of Public, No. 846, Seventy-fourth Congress (S. 3055), an act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 1057. An act to establish a system of longevity pay for postal employees;

H. R. 5945. An act granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin;

H. R. 6738. An act to limit the initial base pay of \$21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade; and

H. R. 6759. An act to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time.

JAMES D. PRESTON

Mr. CHAVEZ. Mr. President, in these hectic days of strife and turmoil, it appears to me to be fit and proper to say a few words of appreciation of the loyal and intelligent services of one of the Senate's faithful employees. Today marks the anniversary of 45 years of service of James D. Preston to the Senate.